



MEMORANDUM

TO: EDUCATION TASK FORCE MEMBERS
FROM: DAVID J. MYSLINSKI, DIRECTOR, EDUCATION TASK FORCE
RE: 35-DAY MAILING—EDUCATION TASK FORCE MEETING
DATE: JULY 1, 2010

The American Legislative Exchange Council (ALEC) will host its 37th Annual Meeting in San Diego, California, August 5–8, 2010. The full Education Task Force will meet 2:30 p.m. to 5:30 p.m., Friday, August 6. In addition to the Task Force meeting, there will be multiple events throughout the conference regarding education, as listed below.

Note: We will be discussing all proposed bills in depth at the Working Group on Thursday morning. If you have any concerns about the proposed bills, make sure you attend the Working Group.

Working Group on Education Reform

Thursday, August 5, 2010
10:00 a.m. – 11:15 a.m.

Workshop #1: Transferring Credits: Easing The Burden of Students and Taxpayers

Thursday, August 5, 2010
1:45 p.m. – 3:00 p.m.

Education Task Force Meeting

Friday, August 6, 2010
2:30 p.m. – 5:30 p.m.

Education Task Force Reception

Sponsored by Bridgepoint Education
Friday, August 6, 2010
5:30 p.m. – 6:30 p.m.

About the 35-Day Mailing

The 35-Day Mailing comprises the information you will need for ALEC’s 37th Annual Meeting. Please review all agendas, proposed legislation, and Task Force operating procedures to be an active discussant in legislation review and policy presentations.

In addition to receiving the 35-Day Mailing via e-mail, you may also access it on the Education Task Force’s webpage at www.alec.org (click on the “Task Force Member Area” tab). Keep in mind that you will need your ALEC username and password to access the 35-Day Mailing material online. If you don’t have an ALEC login, or if you would like to change your username and password, contact Briana Mulder at (202) 742-8507 or at bmulder@alec.org. If you would like to receive 35-Day Mailings “snail-

mailed” to you, please contact Monica Mastracco at mmastracco@alec.org or at (202) 742-8525. We will assume that you prefer the 35-Day Mailing e-mailed to you unless you indicate otherwise.

Registration

You can register for the Annual Meeting by going visiting ALEC’s website at www.alec.org. You may also register by faxing in the enclosed registration form.

Enclosed Materials

You will find these materials in the following pages:

- Registration and Housing Forms
- Agenda-At-A-Glance
- Tentative Agenda for the Working Group on Education Reform
- Tentative Agenda for the Education Task Force Meeting
- Submitted Legislation:
 - *Higher Education Scholarships for High School Pupils Act*
Sponsored by Rep. Gary Daniels, New Hampshire
 - *Credit Articulation Agreements Act*
Sponsored by Sen. Keith King, Colorado
 - *Online Learning Clearinghouse Act*
Sponsored by Rep. Bill Coley, Ohio
 - *Great Teachers and Leaders Act*
Sponsored by Sen. Nancy Spence, Colorado
- Education Task Force Roster
- ALEC’s Mission Statement, Scholarship Policy by Meeting, and Task Force Operating Procedures

Questions?

I look forward to seeing you in San Diego for ALEC’s 37th Annual Meeting. If you have any questions or concerns regarding the meeting, feel free to contact me at dmyslinski@alec.org or (202) 742-8531.

ATTENDEE

REGISTRATION / HOUSING FORM

AMERICAN LEGISLATIVE EXCHANGE COUNCIL



Early registration deadline: June 23, 2010
Standard registration deadline: July 12, 2010
Housing cut-off date: July 12, 2010

Manchester Grand Hyatt - San Diego, CA

Online
www.alec.org

Fax (credit cards only)
202.331.1344

Phone / Questions • Mon-Fri, 9am-5:30 pm Eastern
202.742.8538

Mail • ALEC Registration & Housing
P.O. Box 96754 • Washington, DC 20090-6754

ATTENDEE INFORMATION

Prefix (required) ☐ Sen ☐ Rep ☐ Del ☐ Mr ☐ Mrs ☐ Ms ☐ Other _____
Last Name _____ First Name _____ Middle Initial _____ Badge Nickname _____
Title _____
Organization (required) _____
Address _____ Suite # _____
City _____ State/Province _____ Country _____ ZIP/Postal code _____
Daytime phone _____ Fax _____ Alternate phone _____
Email (confirmation will be sent by email) _____

Spouse / Guest / Kids' Congress: Please complete the Spouse / Guest / Kids' Congress registration form.

REGISTRATION INFORMATION

****Save \$100 on registration by booking your hotel room in ALEC's headquarter hotel****

DISCOUNTED REGISTRATION FEES are extended only to registrants booking in ALEC's headquarter hotel. Your \$100 savings will become valid when accommodations are confirmed.

	EARLY until June 23	STANDARD until July 12	ON-SITE begin July 13	DAILY	Amount
<input type="checkbox"/> I am already registered: Order # _____					
** Please note that member fees are subject to verification					
<input type="checkbox"/> ALEC Legislative Member	\$510	\$610	\$710	\$395	\$ _____
<input type="checkbox"/> Legislator / Non-Member	\$625	\$700	\$850	\$495	\$ _____
<input type="checkbox"/> ALEC Private Sector Member	\$840	\$1090	\$1800	\$895	\$ _____
<input type="checkbox"/> Private Sector / Non-Member	\$1075	\$1725	\$2200	\$1095	\$ _____
<input type="checkbox"/> ALEC Non-Profit Member (501(c)(3) status required)	\$615	\$740	\$940	\$595	\$ _____
<input type="checkbox"/> Non-Profit Non-Member (501(c)(3) status required)	\$750	\$950	\$1150	\$795	\$ _____
<input type="checkbox"/> Legislative Staff / Government	\$685	\$785	\$935	\$595	\$ _____
<input type="checkbox"/> ALEC Legacy Member	\$0	\$0	\$0	\$0	\$ _____
Promo Code _____					
TOTAL REGISTRATION FEES:					\$ _____

METHOD OF REGISTRATION PAYMENT

Credit Card: Credit cards will be charged immediately. Please fax to the above number for processing.

☐ Amer Express ☐ Visa ☐ MasterCard

Card # _____

Cardholder (please print) _____

Exp Date (mm/yy) _____ Security Code _____

Signature _____

Checks: Payment must be in U.S. currency drawn on a U.S. bank. Please make check payable to ALEC Registration and send to above address.

Note: Registration forms with enclosed payments must be received by 5pm Eastern on the following dates to be eligible for discounted registration rates: June 9, 2010, for early registration rates, or July 12, 2010, for standard registration rates. Forms and/or payments received beginning July 13, 2010, will be subject to the on-site registration rate. If registering after July 13, 2010, please bring completed form and payment to register on-site.

REGISTRATION CONFIRMATION INFORMATION

Online registrants will receive immediate email confirmation. If registering by form, confirmation will be emailed, faxed, or mailed within 72 hours of receipt of payment.

REGISTRATION CANCELLATION / REFUND INFORMATION

Registrations cancelled prior to 5pm Eastern July 12, 2010 are subject to a \$100 cancellation fee. Registrations are non-refundable after 5pm Eastern July 12, 2010.

HOUSING

RESERVATION CUTOFF FOR ALEC DISCOUNTED RATE IS 12pm Eastern July 12, 2010

****Save \$100 on registration by booking your hotel room in ALEC's headquarter hotel****

☐ I do not require a reservation at this time.

Arrival Date _____ Departure Date _____

☐ Sharing room with _____

Room type

<input type="checkbox"/> Single	(1 person-1 bed)	\$ 219
<input type="checkbox"/> Double	(2 persons-1 bed)	\$ 239
<input type="checkbox"/> Dbl/Dbl	(2 persons-2 beds)	\$ 239
<input type="checkbox"/> Triple	(3 persons-2 beds)	\$ 259
<input type="checkbox"/> Quad	(4 persons-2 beds)	\$ 259

A limited number of suites are available upon request. Please call (800) 221-3531 for additional information.

Special requests

- ☐ ADA room required:
____ Audio ____ Visual ____ Mobile
- ☐ Rollaway / crib: _____
- ☐ Other: _____

METHOD OF HOUSING PAYMENT

☐ Please use the same method of payment as above.

Credit Card: Credit cards will be used to guarantee the reservation

☐ Amer Express ☐ Visa ☐ MasterCard ☐ Discover

Card # _____

Cardholder (please print) _____

Exp Date (mm/yy) _____ Security Code _____

Signature _____

Checks: Payment must be in U.S. currency drawn on a U.S. bank. Please make check payable to ALEC and send to above address.

Note: All rates DO NOT include sales tax 12.71% (subject to change)

HOUSING CONFIRMATION INFORMATION

Online reservations will receive immediate email confirmation. Reservations received by form will be confirmed via email, fax, or mail within 72 hours of receipt.

HOUSING CANCELLATION / REFUND INFORMATION

Credit cards will be charged one night room and tax in the event of a no show or if cancellation occurs within 72 hours prior to arrival. Departures prior to the departure date confirmed by the hotel at check-in will result in a charge of \$100. Please obtain a cancellation number when your reservation is cancelled.

SPOUSE / GUEST KIDS' CONGRESS REGISTRATION FORM

AMERICAN LEGISLATIVE EXCHANGE COUNCIL
ALEC



Early registration deadline: June 16, 2010
Standard registration deadline: July 12, 2010

Manchester Grand Hyatt - San Diego, CA

Online
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Phone / Questions • Mon-Fri, 9am-5:30 pm Eastern
202.742.8538

Mail • ALEC Registration & Housing
P.O. Box 96754 • Washington, DC 20090-6754

IMPORTANT: Please identify the ALEC attendee

ALEC ATTENDEE Profile Information

First Name _____	Last Name _____	REGISTRATION ORDER NUMBER _____
Daytime Phone _____		
Email (Confirmation will be sent by email) _____		

SPOUSE / GUEST / KIDS' CONGRESS Registration Fees

	(#) x	EARLY until June 16	STANDARD until July 12	ON-SITE begin July 13	DAILY	Amount
A. Spouse / Guest / Child 18 yrs or older	() x	\$150	\$150	\$150	n/a	= \$ _____
B. Kid's Congress (6 months to 17 yrs) for ALEC Members Full Conference Rate	() x	\$250	\$350	\$550	n/a	= \$ _____
C. Kid's Congress (6 months to 17 yrs) for Non-ALEC Members Full Conference Rate	() x	\$350	\$450	\$650	n/a	= \$ _____
D. Kid's Congress (6 months to 17 yrs) Day rate: Thurs., Fri., or Sat.	() x	\$100	\$150	\$250	n/a	= \$ _____

SPOUSE / GUEST / KID'S REGISTRATION FEE(s) TOTAL \$ _____

Spouse / Guest / Child Names *Please list the names of the spouse / guest / children below*

Spouse / Guest / Child Name	Child Date of Birth	Registration Type A,B,C,D (above)	Spouse / Guest / Child Name	Child Date of Birth	Registration Type A,B,C,D (above)
1. _____	_____	_____	5. _____	_____	_____
2. _____	_____	_____	6. _____	_____	_____
3. _____	_____	_____	7. _____	_____	_____
4. _____	_____	_____	8. _____	_____	_____

Payment Information

Credit Card: Credit cards will be charged immediately. Please fax to the above number for processing.

<input type="checkbox"/> American Express	Card # _____
<input type="checkbox"/> Visa	Cardholder (please print) _____
<input type="checkbox"/> MasterCard	Exp Date (mm/yy) _____ Security Code _____
	Signature _____

Check / money order: Payment must be in U.S. currency drawn on a U.S. bank. Please make check payable to ALEC Registration and send to above address.

Note: Registration forms with enclosed payments must be received by 5pm Eastern on the following dates to be eligible for discounted registration rates: June 9, 2010, for early registration rates, or July 12, 2010, for standard registration rates. Forms and/or payments received after July 12, 2010 will be subject to the on-site registration rate. If registering after July 12, 2010 please bring completed form and payment to register on-site.

Confirmation Information

Online registrants will receive immediate confirmation via email. If registering by written form, confirmation will be emailed (if address provided), faxed, or mailed within 72 hours of receipt of payment.

Cancellation / Refund Information

Registrations cancelled prior to 5:00 p.m. (EST) July 12, 2010 are subject to a \$100 cancellation fee. Registrations are non-refundable after 5:00 p.m. (EST) July 12, 2010.



Agenda



Tuesday, August 3, 2010

Board of Directors Reception, <i>by invitation only</i>	6:30 p.m. - 7:30 p.m.	Off-site
Board of Directors Dinner, <i>by invitation only</i>	7:30 p.m. - 9:30 p.m.	Off-site

Wednesday, August 4, 2010

Registration Open	12:00 p.m. - 5:00 p.m.	Litrenta Foyer
Joint Board of Directors Meeting	9:00 a.m. - 5:30 p.m.	Elizabeth FG
State Chairs Training Session	2:00 p.m. - 5:00 p.m.	Del Mar AB
NCHL Working Group	3:00 p.m. - 5:00 p.m.	Madeline ABC
Leadership Reception, <i>by invitation only</i>	6:00 p.m. - 7:00 p.m.	Elizabeth Foyer
Leadership Dinner, <i>by invitation only</i> <i>Sponsored by Reynolds American</i> <i>Speaker: Ms. Susan Ivey, Chairman, President and CEO, Reynolds American</i>	7:00 p.m. - 9:00 p.m.	Elizabeth GH
Hospitality Suite	9:00 p.m. - 11:00 p.m.	Madeline ABC

Thursday, August 5, 2010

Registration Open	7:30 a.m. - 5:00 p.m.	Litrenta Foyer
State Chairs Meeting	9:00 a.m. - 11:15 a.m.	Elizabeth F
Task Force: International Relations	9:00 a.m. - 11:15 a.m.	Manchester H, I
ALEC Exhibition Hall Open	8:00 a.m. - 5:00 p.m.	Elizabeth ABCDE
Attendee Grab-N-Go Breakfast	8:00 a.m. - 11:15 a.m.	Elizabeth ABCDE
Task Force Working Groups and Subcommittees	8:00 a.m. - 11:15 a.m.	
Fiscal Federalism Working Group	8:00 a.m. - 9:00 a.m.	Elizabeth G
Environmental Health Working Group	8:00 a.m. - 9:30 a.m.	Manchester G
Transportation Subcommittee	9:00 a.m. - 10:00 a.m.	Elizabeth H
Leadership Institute: New Media Workshop	9:00 a.m. - 11:15 a.m.	George Bush
Public Pension Reform Working Group	9:15 a.m. - 10:15 a.m.	Elizabeth G
Health Care Reform: Repeal vs. Implementation	9:15 a.m. - 11:15 a.m.	Mohsen AB
Energy Subcommittee	10:00 a.m. - 11:15 a.m.	Manchester G

Agenda



Working Group on Education Reform	10:00 a.m. - 11:15 a.m.	Madeline AB
Corrections and Reentry Working Group	10:15 a.m. - 11:15 a.m.	Elizabeth H
Cy Pres Working Group	10:15 a.m. - 11:15 a.m.	Madeline CD
Fiscal Policy Reform Working Group	10:15 a.m. - 11:15 a.m.	Elizabeth G
Opening Luncheon, sponsored by AT&T <i>Speaker: Randall Stephenson, Chairman, CEO, and President, AT&T</i> <i>Keynote: Gov. Rick Perry (TX)</i>	11:30 a.m. - 1:30 p.m.	Douglas ABC
Workshop: <i>Transferring Credits: Easing the Burden of Students and Taxpayers</i>	1:45 p.m. - 3:00 p.m.	Elizabeth F
Workshop: <i>Regional Climate Initiatives</i>	1:45 p.m. - 3:00 p.m.	Elizabeth G
Workshop: <i>Panel on Prescription Drug Abuse: Good Medicines, Bad Behavior</i>	1:45 p.m. - 3:00 p.m.	Elizabeth H
Workshop: Visa	3:15 p.m. - 4:30 p.m.	Elizabeth F
Workshop: <i>Show Me the Money: Improving Budget Transparency in the States</i>	3:15 p.m. - 4:30 p.m.	Elizabeth G
Workshop: <i>Restoring Good Faith to Insurance "Bad Faith" Legislation</i>	3:15 p.m. - 4:30 p.m.	Elizabeth H
Diageo Wine and Cheese Reception <i>Open to all attendees</i>	5:00 p.m. - 6:00 p.m.	Elizabeth ABCDE
Chairman's Reception, <i>by invitation only</i> <i>Sponsored by AT&T</i>	5:30 p.m. - 6:30 p.m.	Ford ABC
International Relations Reception <i>Sponsored by Reynolds American</i>	6:00 p.m. - 7:00 p.m.	Elizabeth Terrace
California Welcome Reception aboard the U.S.S. Midway, sponsored by California Host Committee	6:30 p.m. - 8:30 p.m.	U.S.S. Midway
Hospitality Suite	9:00 p.m. - 11:00 p.m.	Ford ABC

Friday, August 6, 2010

Registration Open	7:30 a.m. - 5:00 p.m.	Litrenta Foyer
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Agenda



Plenary Breakfast, sponsored by Bayer Corporation <i>Speaker: Greg Babe, President and CEO, Bayer Corporation</i> <i>Keynote: Gov. Joe Manchin (WV), invited</i>	8:00 a.m. - 9:15 a.m.	Douglas ABC
ALEC Exhibition Hall Open	9:30 a.m. - 5:00 p.m.	Elizabeth ABCDE
Workshop: <i>Cutting Crime and Budgets: Proven Solutions for Your State</i>	9:30 a.m. - 10:45 a.m.	Elizabeth F
Workshop: <i>The Changing Face of Journalism in the States</i>	9:30 a.m. - 10:45 a.m.	Elizabeth G
Workshop: <i>Creating True and Lasting Budget Reform in Your State</i>	9:30 a.m. - 10:45 a.m.	Elizabeth H
Task Force Chairs Meeting	11:00 a.m. - 12:15 p.m.	Mohsen AB
Workshop: <i>The 10th Amendment: Federalism and Restoring State Sovereignty</i>	11:00 a.m. - 12:15 p.m.	Elizabeth F
Workshop: <i>Building a Free-Market Movement in Your State</i>	11:00 a.m. - 12:15 p.m.	Elizabeth G
Workshop: <i>Protecting Philanthropic Freedom</i>	11:00 a.m. - 12:15 p.m.	Elizabeth H
Plenary Luncheon, sponsored by Allergan <i>Speaker: Lynn Salo, Vice President, Allergan Medical US Breast Aesthetics Division</i> <i>Keynote:</i>	12:30 p.m. - 2:15 p.m.	Douglas ABC
Task Force: Commerce, Insurance, and Economic Development	2:30 p.m. - 5:30 p.m.	Elizabeth G
Task Force: Civil Justice	2:30 p.m. - 5:30 p.m.	Manchester DE
Task Force: Education	2:30 p.m. - 5:30 p.m.	Manchester GH
Task Force: Telecom and IT	2:30 p.m. - 5:30 p.m.	Manchester AB
Education Task Force Reception, <i>by invitation only</i> <i>Sponsored by Bridgepoint Education</i>	5:30 p.m. - 6:30 p.m.	Manchester Foyer
Incoming Chairman's Reception, <i>by invitation only</i> <i>Sponsored by Reynolds American</i>	5:30 p.m. - 6:30 p.m.	Ford ABC
State Delegation Night	6:00 p.m.	Ford ABC
Hospitality Suite	9:00 p.m. - 11:00 p.m.	



Agenda



Saturday, August 7, 2010

Registration Open	7:30 a.m. - 12:00 p.m.	Litrenta Foyer
ALEC Exhibition Hall Open	9:30 a.m. - 12:00 p.m.	Elizabeth ABCD
Plenary Breakfast, Sponsored by Pfizer	8:00 a.m. - 9:15 a.m.	Douglas ABC
Task Force: Public Safety and Elections	9:30 a.m. - 12:30 p.m.	Elizabeth H
Task Force: Health and Human Services	9:30 a.m. - 12:30 p.m.	Manchester AB
Task Force: Energy, Environment, and Agriculture	9:30 a.m. - 12:30 p.m.	Manchester GH
Task Force: Tax and Fiscal Policy	9:30 a.m. - 12:30 p.m.	Elizabeth G
Plenary Luncheon, sponsored by Visa <i>Speaker: Frn. Maj. Leader Dick Armev</i>	12:30 p.m. - 2:15 p.m.	Douglas ABC
Closing Ceremonies	4:00 p.m. - 5:00 p.m.	

Sunday, August 8, 2010

Prayer Service <i>Speaker: Cal Thomas, Syndicated Columnist</i>	9:00 a.m. - 10:30 a.m.	Ford ABC
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SPOUSE / GUEST KIDS' CONGRESS REGISTRATION FORM

AMERICAN LEGISLATIVE EXCHANGE COUNCIL
ALEC



Early registration deadline: June 16, 2010
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Manchester Grand Hyatt - San Diego, CA

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Mail • ALEC Registration & Housing
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IMPORTANT: Please identify the ALEC attendee

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Email (Confirmation will be sent by email) _____		

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C. Kid's Congress (6 months to 17 yrs) for Non-ALEC Members Full Conference Rate	() x	\$350	\$450	\$650	n/a	= \$ _____
D. Kid's Congress (6 months to 17 yrs) Day rate: Thurs., Fri., or Sat.	() x	\$100	\$150	\$250	n/a	= \$ _____

SPOUSE / GUEST / KID'S REGISTRATION FEE(s) TOTAL \$ _____

Spouse / Guest / Child Names *Please list the names of the spouse / guest / children below*

Spouse / Guest / Child Name	Child Date of Birth	Registration Type A,B,C,D (above)	Spouse / Guest / Child Name	Child Date of Birth	Registration Type A,B,C,D (above)
1. _____	_____	_____	5. _____	_____	_____
2. _____	_____	_____	6. _____	_____	_____
3. _____	_____	_____	7. _____	_____	_____
4. _____	_____	_____	8. _____	_____	_____

Payment Information

Credit Card: Credit cards will be charged immediately. Please fax to the above number for processing.

<input type="checkbox"/> American Express	Card # _____
<input type="checkbox"/> Visa	Cardholder (please print) _____
<input type="checkbox"/> MasterCard	Exp Date (mm/yy) _____ Security Code _____
	Signature _____

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Working Group on Education Reform

ALEC's 37th Annual Meeting | Thursday, August 5, 2010
10:00 a.m. – 11:15 p.m.

Tentative Agenda

- 10:00 a.m. Welcome and Introductions**
Sen. Nancy Spence, Colorado, Public Sector Task Force Chair
Ms. Mickey Revenaugh, Connections Academy, Private Sector Task Force Chair
- 10:10 a.m. *Great Teachers and Leaders Act***
Sponsored by Sen. Nancy Spence, Colorado
- Online Learning Clearinghouse Act***
Sponsored by Rep. Bill Coley, Ohio
- Credit Articulation Agreements Act***
Sponsored by Sen. Keith King, Colorado
- Higher Education Scholarship for High School Pupils Act***
Sponsored by Rep. Gary Daniels, New Hampshire
- 5:30 p.m. Good of the Order/Adjournment**



Education Task Force Meeting

ALEC's 37th Annual Meeting | Friday, August 6, 2010
2:30 p.m. – 5:30 p.m.

Tentative Agenda

- 2:30 p.m. Welcome and Introductions**
Sen. Nancy Spence, Colorado, Public Sector Task Force Chair
Ms. Mickey Revenaugh, Connections Academy, Private Sector Task Force Chair
- 2:40 p.m. New Members Introductions**
Bridgepoint Education and Career College Association
Ms. Mickey Revenaugh, Connections Academy, Private Sector Task Force Chair
- 2:55 p.m. *Higher Education Scholarship for High School Pupils Act***
Sponsored by Rep. Gary Daniels, New Hampshire
Moderated by Sen. Nancy Spence, Colorado, Public Sector Task Force Chair
- 3:15 p.m. *Credit Articulation Agreements Act***
Sponsored by Sen. Keith King, Colorado
Moderated by Ms. Mickey Revenaugh, Connections Academy, Private Sector Task Force Chair
- 3:40 p.m. Presentation: Introduction to the *A-Plus Literacy Act***
Dr. Matt Ladner
- 4:00 p.m. *Online Learning Clearinghouse Act***
Sponsored by Rep. Bill Coley, Ohio
Moderated by Sen. Nancy Spence, Colorado, Public Sector Task Force Chair
- 4:30 p.m. Presentation: Update on Judicial Activity on Vouchers**
Tim Keller, Institute for Justice
- 4:50 p.m. *Great Teachers and Leaders Act***
Sponsored by Sen. Nancy Spence, Colorado
Moderated by Ms. Mickey Revenaugh, Connections Academy, Private Sector Task Force Chair
- 5:20 p.m. Roundtable Discussion on Legislative Activity**
- 5:30 p.m. Good of the Order/Adjournment**

Higher Education Scholarships for High School Pupils Act

Summary

This bill enables a school district to adopt and offer higher education scholarships for high school pupils to any high school pupil who graduates high school early and who achieves a score in the “proficient” range or above on all subjects tested in the statewide assessment. The scholarship would be equivalent to 1/2 of the total per-pupil expenditure for high school pupils in such school district to be used to defray tuition costs at any public or private institution of higher education within or outside of [state].

Model Legislation

Section 1. {Title} Higher Education Scholarships for High School Pupils

Section 2. {Basic elements of the Act}

Upon adoption of this subdivision in a school district, a pupil who graduates from high school prior to his or her scheduled graduation date, and who achieves a score in the “proficient” range or above in all subjects tested in the statewide assessments, shall receive from the school district in which he or she resides, a scholarship equal to 1/2 of the total per pupil expenditure for high school pupils in such school district for the purpose of defraying tuition costs at any public or private institution of higher education within or outside of [state].

Section 3. {Procedure for adoption}

(A) Any school district may adopt the provisions of this chapter in the following manner:

(1) In a school district, other than a school district that has adopted a charter, the question shall be placed on the warrant of a special or annual school district meeting, by the governing body or by petition.

(2) In a school district that has adopted a charter, the legislative body may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation. In the alternative, the legislative body of such school district may vote to place the question on the official ballot for any regular municipal election.

(B) The vote shall include the provisions of this chapter. If a majority of those voting on the question vote “yes,” the provisions of this chapter shall take effect within the school district, on the date set by the governing body, or July 1 following its adoption, whichever shall occur first.

(C) A school district may modify, if applicable, or rescind the provisions of this chapter in the manner described in this section.

(D) An amendment to this chapter related to the amount of the scholarship or eligibility for the scholarship, shall apply in a school district which previously adopted the provision only after the school district complies with the procedure in this section, unless otherwise expressly required by law.

Section 4. {Severability clause}

Section 5. {Repealer clause}

Section 6. {Effective date} This act shall take effect 60 days after its passage.

Credit Articulation Agreements Act

Summary

The Credit Articulation Agreements Act would require statewide degree transfer agreements (transfer agreements) to transfer associate of arts (AA) degrees and associate of science (AS) degrees from one state institution of higher education (institution) to another. A student who earns an AA or AS degree that is the subject of a transfer agreement and who is admitted to a four-year institution will be enrolled with junior status. However, an institution that admits the student may require the student to complete additional lower-level courses if necessary for the degree program to which the student transfers, so long as the additional credits do not extend the student's time to degree completion beyond that required for a student who begins and completes his or her degree at the institution.

Model Legislation

Section 1. {Title} Credit Articulation Agreements Act

Section 2. {Definitions} As used in this Act, unless the context otherwise requires:

(A) "Native student" means a student who begins and completes an undergraduate degree program at a single state institution of higher education.

(B) "State institution of higher education" shall have the same meaning as provided in [insert appropriate reference].

(C) "Statewide degree transfer agreement" means an agreement among all of the state institutions of higher education for the transfer of an associate of arts or an associate of science degree. A statewide degree transfer agreement applies to common degree programs and specifies the common terms, conditions, and expectations for students enrolled in statewide degree transfer programs.

Section 3. {Duties and powers of the commission with regard to system-wide planning}

(A)

(1) The commission shall establish, after consultation with the governing boards of institutions, and enforce statewide degree transfer agreements between two-year and four-year state institutions of higher education among four-year state institutions of higher education. Governing boards and state institutions of higher education shall implement the statewide degree transfer agreements and the commission policies relating to the statewide degree transfer agreements. The Statewide degree transfer agreements shall include provisions under which state

institutions of higher education shall accept all credit hours of acceptable course work for automatic transfer from an associate of arts or associate of science degree program in another state institution of higher education in [state]. The commission shall have final authority in resolving transfer disputes.

(2)

(a) A student who completes an associate of arts or associate of science degree that is the subject of a statewide degree transfer agreement and who transfers from the state institution of higher education that awarded the degree to a four-year state institution of higher education shall, if admitted, be enrolled with junior status. Successful completion of an associate of arts or associate of science degree does not guarantee the degree holder admission to a four-year state institution of higher education.

(b) A state institution of higher education that admits as a junior a student who holds an associate of arts degree or associate of science degree that is the subject of a statewide degree transfer agreement may not require the student to complete any additional credit hours of lower-division general education courses; except that the institution may require the student to complete additional lower-division general education courses if necessary for preparation in the degree program in which the student enrolls so long as the additional courses are consistent with published degree program requirements for native students and do not extend the time to degree completion beyond that required for native students in the same degree program.

(3)

(a) Beginning July 1, 2010, the commission, in collaboration with the governing boards and the council convened pursuant to [insert appropriate reference], shall negotiate statewide degree transfer agreements and shall ensure that there are at least four statewide degree transfer agreements in place no later than July 1, 2012, and that by no later than July 1, 2016, there are a total of at least fourteen (14) statewide degree transfer agreements.

(b) The governing boards shall recommend to the commission the degree programs that would be most appropriate for statewide degree transfer agreements based on student demand and the workforce needs of the state.

(4) The existence of statewide degree transfer agreements does not preclude or restrict a state institution of higher education from awarding nontransfer associate of arts or associate of science degrees, applied associate degrees, or general liberal arts associate or arts or associate of science degrees.

(5) Nothing in this Section 3 shall be construed to:

- (a) prevent or otherwise interfere with the ability of a state institution of higher education to fulfill its statutory role and mission;
- (b) prohibit one or more state institutions of higher education from entering into memoranda of understanding for the transfer of degrees among the agree institutions; or
- (c) impair any memorandum of understanding between or among institutions of higher education in effect prior to the effective date of this subparagraph (c).

Section 4. {Severability clause}

Section 5. {Repealer clause}

Section 6. {Effective date}

Online Learning Clearinghouse Act

Summary

The Online Learning Clearinghouse Act creates a clearinghouse through which school districts may offer their computer-based courses to students of other school districts.

Legislation

Section 1. {Title} Online Learning Clearinghouse Act

Section 2. {Definitions}

(A) “Clearinghouse” means the clearinghouse established under Section 3.

(B) “Data verification code” means a code that is assigned to each student that is unique on a statewide basis.

(C) “One credit” and “half-credit” mean the customary academic unit of credit granted for secondary school courses in this state.

(D) “Student’s school district” means the school district operating the school in which the student is lawfully enrolled.

Section 3. {Commission to establish clearinghouse of online learning courses}

(A) The commission shall establish a clearinghouse of interactive distance learning courses and other distance learning courses delivered via a computer-based method offered by school districts for sharing with other school districts for the fee set pursuant to Section 5. The commission shall not be responsible for the content of the courses offered through the clearinghouse; however, all such courses shall be delivered only in accordance with technical specifications approved by the commission.

(B) To offer a course through the clearinghouse, a school district shall apply to the commission in a form and manner prescribed by the commission. The application for each course shall describe the course of study in as much detail as required by the commission, the qualification and credentials of the teacher, the number of hours of instruction, the technology required to deliver and receive the course, the technical capacity of the school district to deliver the course, the times that the school district plans to deliver the course, and any other information required by the commission. The commission may require school districts to include in their applications information recommended by the state board of education.

(C) The commission shall review the technical specifications of each application submitted under Paragraph (B) of this Section and shall approve a course offered if the

commission determines that the school district can satisfactorily deliver the course through the technology necessary for that delivery. In reviewing applications, the commission may consult with the department of education; however, the responsibility to either approve or not approve a course for the clearinghouse belongs to the commission. The commission may request additional information from a school district that submits an application under Paragraph (B) of this Section, if the commission determines that such information is necessary. The commission may negotiate changes in the proposal to offer a course, if the commission determines that changes are necessary in order to approve the course.

(D) The commission shall catalog each course approved for the clearinghouse, through a print or electronic medium, displaying the following:

- (1) Information necessary for a student and the student's parent, guardian, or custodian and the student's school district or charter school to decide whether to enroll in the course; and
- (2) Instructions for enrolling in that course, including deadlines for enrollment.

Section 4. {Enrollment in clearinghouse course – participation – withdrawal}

(A) A student who is enrolled in a school operated by a school district or in a charter school may enroll in a course included in the clearinghouse only if both of the following conditions are satisfied:

- (1) The student's enrollment in the course is approved by the student's school district or the student's charter school; and
- (2) The student's school district or the student's charter school agrees to accept for credit the grade assigned by the district that is delivering the course.

(B) For each student enrolling in a course, the student's school district or the student's charter school shall transmit the student's data verification code and the student's name to the school district delivering the course.

The district delivering the course may request from the student's school district or the student's charter school other information from the student's school record. The student's school district or the student's charter school shall provide the requested information only in accordance with state law.

(C) The student's school district or the student's charter school shall determine the manner in which and facilities at which the student shall participate in the course consistent with specifications for technology and connectivity adopted by the commission.

(D) A student may withdraw from a course prior to the end of the course only by a date and in a manner prescribed by the student's school district or charter school.

(E) A student who is enrolled in a school operated by a school district or in a charter school and who takes a course included in the clearinghouse shall be counted in the funding formula of the providing school district as if the student were taking the course from the student's school district or the student's charter school.

Section 5. {Course fee}

(A) The commission shall set appropriate fees for one-credit and half-credit courses

(B) The commission shall proportionally reduce the fee for any student who withdraws from a course prior to the end of the course pursuant to Paragraph (D) of Section 4.

(C) For each student enrolled in a course included in the clearinghouse, and not later than the last day of that course, the department of education shall deduct the amount of the fee for that course from the student's school district and shall pay that amount to the school district delivering the course.

Section 6. {Assignment of course grade}

The grade for a student who enrolls in a course included in the clearinghouse shall be assigned by the school district that delivers the course and shall be transmitted by that district to the student's school district or the student's charter school.

Section 7. {Offering of course as dual enrollment}

The commission may determine the manner in which a course included in the clearinghouse may be offered as a dual enrollment program as defined in [insert appropriate reference], may be offered to students who are enrolled in nonpublic schools or are instructed at home pursuant to [insert appropriate reference], or may be offered at times outside the normal school day or school week, including any necessary additional fees and methods of payment for a course so offered.

Section 8. {Clearinghouse implementation rules}

The commission shall adopt rules prescribing procedures for the implementation of this act.

Section 9. {Alternative means for offering computer-based courses}

Nothing in this act shall prohibit a school district from offering an interactive distance learning course or other distance learning course using a computer-based method through any means other than the clearinghouse established and maintained under those sections.

Great Teachers and Leaders Act

Summary

The Great Teachers and Leaders Act reforms the practice of tenure, known as nonprobationary status in some states. Teachers can earn tenure after 3 years of sufficient student academic growth; tenure is revocable following 2 consecutive years of insufficient growth. The council for educator effectiveness will define teacher effectiveness and come up with parameters for an evaluation system that requires 50 percent of a teacher's evaluation to be based on student achievement using multiple measures. The Act requires principals to be evaluated annually with 50 percent of the evaluation based on student achievement and their ability to develop teachers in their buildings and increase their effectiveness. The Act eliminates the practice of forced teacher placement (slotting teachers in schools without their or the principal's consent) and replaces it with mutual consent hiring using the Chicago model (principals and teachers must agree to teacher placements and teachers who are not selected serve as substitutes for a year and, if not selected in the subsequent hiring cycle, are put on unpaid leave). The Act allows school districts to make reduction in force decisions based on teacher performance rather than on seniority.

Legislation

Section 1. {Legislative declaration}

(A) The Legislature hereby declares that:

(1) A system to evaluate the effectiveness of licensed personnel is crucial to improving the quality of education in this state and declares that such a system shall be applicable to all licensed personnel in the school districts and boards of cooperative services throughout the state; and

(2) The purposes of the evaluation shall be to:

- (a) Serve as a basis for the improvement of instruction;
- (b) Enhance the implementation of programs of curriculum;
- (c) Serve as a measurement of the professional growth and development of licensed personnel;
- (d) Evaluate the level of performance based on the effectiveness of licensed personnel; and
- (e) Provide a basis for making decisions in the area of hiring, compensation, promotion, assignment, professional development, earning

and retaining nonprobationary status, dismissal, and nonrenewal of contract.

(B) The Legislature further declares that a professionally sound and credible system to evaluate the effectiveness of licensed personnel shall be designed with the involvement of licensed personnel and citizens of the school district or board of cooperative services.

(C) The Legislature further declares that the involvement and support of parents of children in public schools, acting as partners with teachers and public school administrators, are key to the educational progress of their children.

Section 2. {Definitions} As used in this article, unless the context otherwise requires:

(A) “Council” means the state council for educator effectiveness, which shall consist of the following members: Seven licensed personnel, each from a different school district, four of whom shall be teachers; three citizens, each from a different school district; a representative from an existing council whose members are deans of education; and one member from the department of education. The council shall elect its chair. No more than six members shall belong to any one political party.

(B) “Department” means the state department of education or other appropriate agency.

(C) “Performance Standards” means the levels of effectiveness established by rule of the state board pursuant to Section (4)(B)(10).

(D) “Principal” means a person who is employed as the Chief Executive Officer or an Assistant Chief Executive Officer of a school in the state and who administers, directs, or supervises the education program in the school.

(E) “Quality Standards” means the elements and criteria established to measure effectiveness as established by rule of the state board pursuant to Section (4)(B)(10).

(F) “Principal Development Plan” means a written agreement developed by a principal and district administration that outlines the steps to be taken to improve the principal’s effectiveness. The Principal Development Plan shall include professional development opportunities.

(G) “Teacher Development Plan” means a written agreement mutually developed by a teacher and his or her principal that outlines the steps to be taken to improve the teacher’s effectiveness. The Teacher Development Plan may include but need not be limited to consideration of induction and mentorship programs, use of highly effective teachers as instructional leaders or coaches, and appropriate professional development activities.

(H) “Teacher” means a person who holds an alternative, initial, or professional teacher license issued pursuant to the provisions of [insert appropriate reference] and who is

employed by a school district or a charter school in the state to instruct, direct, or supervise and education program.

(I) “Probationary teacher” means a teacher who has not completed three consecutive years of demonstrated effectiveness or a nonprobationary teacher who has had two consecutive years of demonstrated ineffectiveness, as defined by rule adopted by the Legislature pursuant to Section 4.

Section 3. {State board – powers and duties – rules}

(A) The state board shall:

(1) Pursuant to Section 4, with the council to promulgate rules concerning the planning, development, implementation, and assessment of a system to evaluate the effectiveness of licensed personnel;

(2) Review school district and board of cooperative services processes and procedures for licensed personnel performance evaluation systems to assure that such systems are professionally sound; will result in a fair, adequate, and credible evaluation; and will satisfy quality standards in a manner that is appropriate to the size, demographics, and location of the school district or board of cooperative services, and that is consistent with the purposes of this article; and

(3)

(a) On or before September 1, 2011, the state board shall promulgate rules with regard to the issues specified in Subsection (K) of Section 4 using the recommendations from the council. If the council fails to make recommendations to the state board by March 1, 2011, with regard to one or more of the issues specified in Subsection (K) of Section 4, the state board, on or before September 1, 2011, shall promulgate rules concerning any issues in Subsection (K) of Section 4, that the council did not address. In promulgating rules pursuant to this Paragraph (3), the state board shall conform to the timeline set forth in Section 4.

(b) On or before February 15, 2012, the Legislature shall review the rules promulgated pursuant to Subparagraph (a) of this Paragraph (3), in a bill that is separate from the annual rule review bill introduced; except that the Legislature reserves the right to repeal individual rules in the rules promulgated by the state board. If one or more rules are not approved by the Legislature pursuant to this subparagraph (II), the state board shall promulgate emergency rules on such issue or issues and resubmit to the Legislature on or before May 1, 2012. The Legislature shall review the emergency rules promulgated according to the process outlined in this Subparagraph (b).

Section 4. {State council for educator effectiveness – legislative declaration – membership – duties – recommendations – rules}

(A) The Legislature hereby finds and declares that:

(1) The Legislature finds and declares that it is in the best interests of the people of the state of [state] to codify in statute a council for educator effectiveness because of the significant statutory duties and responsibilities that the Legislature is assigning to said council.

(2) The council is charged with, among other duties, considering options and providing recommendations concerning educator effectiveness and developing recommendations for definitions of principal and teacher effectiveness.

(B)

(1) There is hereby created the state council for educator effectiveness, referred to in this article as the “Council”.

(2) The members of the council for educator effectiveness, shall serve on the council. As appointed by the governor, and shall include:

(a) The Commissioner of Education, or his or her designee;

(b) The Executive Director of the Department of Higher Education, or his or her designee;

(c) Four teacher, selected with the advice of state associations that represent educators;

(d) Two public school administrators and one local school district superintendent, each selected with the advice of a state association that represents school executives;

(e) Two members of local school boards, selected with the advice of a state association that represents school boards;

(f) One charter school administrator or teacher, selected with the advice of a state advocacy group for charter schools;

(g) One parent of a public school student, selected with the advice of a state parent and teachers association;

(h) A current student or recent graduate of a [state] public school, selected with the advice of a statewide student coalition; and

(i) One at-large member with expertise in education policy.

(3) The purpose of the council shall be to ensure educator effectiveness, and shall be to consider options and make recommendations to the state board and the Legislature that seek to ensure that all licensed personnel are:

(a) Evaluated using multiple fair, transparent, timely, rigorous, and valid methods, at least fifty percent of which evaluation is determined by the academic growth of their students;

(b) Afforded a meaningful opportunity to improve their effectiveness; and

(c) Provided that means to share effective practices with other educators throughout the state.

(C) The council shall have the following duties:

(1) On or before March 1, 2011, to provide the state board with recommendations that will ensure that every teacher is evaluated using multiple fair, transparent, timely, rigorous, and valid methods. The recommendations developed pursuant to this Paragraph (1) shall require that at least fifty percent of the evaluation is determined by the academic growth of the teacher's students and that each teacher is provided with an opportunity to improve his or her effectiveness through a teacher development plan that links his or her evaluation and performance standards to professional development opportunities. The quality standards for teachers shall include measures of student longitudinal academic growth and may include interim assessment results or evidence of student work, provided that all are rigorous and comparable across classrooms and aligned with state model content standards and performance standards developed pursuant to article 7 of title 22. For the purposes of quality standards. Expectations of student academic growth shall take into consideration diverse factors, including but not limited to special education, student mobility, and classrooms with a student population in which ninety-five percent meet the definition of high-risk student as defined in section 22-7-604.5 (1.5). The quality standards for teachers shall be clear and relevant to the teacher's roles and responsibilities and shall have the goal of improving student academic growth. The council shall include in its recommendations a definition of effectiveness and its relation to quality standards. The definition of effectiveness shall include, but need not be limited to, criteria that will be used to differentiate between performance standards. The defined performance standards shall include, but need not be limited to, "highly effective", "effective", and "ineffective". The council shall consider whether additional performance standards should be established.

(2) On or before March 1, 2011, to provide the state board with recommendations that will ensure that every principal is evaluated using multiple fair, transparent, timely, rigorous, and valid methods. The recommendations pursuant to this Paragraph (2) shall require that every principal is provided with a principal

development plan. On making its recommendations, the council shall recognize not all teachers and principals require the same amount of supervision and evaluation. As part of its recommendations to the state board, the council shall develop a process to enable a local school district to differentiate teacher and principal evaluations as part of its performance evaluation system.

(3) On or before March 1, 2011, to provide the state board with recommendations concerning the implementation and testing of the new performance evaluation system that is based on quality standards and with recommendation for the subsequent statewide implementation of the new performance evaluation system. The recommendation made pursuant to this Paragraph (3) shall conform to the timeline set forth in Subsection (C) of this Section (4).

(4) On or before March 1, 2011, to make recommendations to the state board concerning the involvement and support of parents of children in public school, to the effect that parents should act as partners with teachers and public school administrators;

(5) On or before March 1, 2011, to provide the state board with recommendations that will ensure development of a set of guidelines for establishing performance standards for each category of licensed personnel to be evaluated pursuant to this article. The guidelines shall outline criteria to be applied in assigning educators to appropriate performance standards, which shall include measures of student longitudinal academic growth.

(6) On or before March 1, 2011, to develop and recommend to the state board statewide definitions of principal effectiveness and teacher effectiveness, each of which shall be centered on an educators demonstrated ability to achieve and sustain adequate student growth and shall include a set of professional skills and competencies related to improved student outcomes;

(7) On or before March 1, 2011, to develop and recommend to the state board guidelines for adequate implementation of a high-quality educator evaluation system that shall address, at a minimum, the following issues:

(a) On going training on the use of the system that is sufficient to ensure that all evaluators and educators have a full understanding of the evaluation system and its implementation. The training may include such activities as conducting joint training sessions for evaluators and educators.

(b) Evaluation results that are normed to ensure consistency and fairness;

(c) Evaluation rubrics and tools that are deemed fair, transparent, rigorous, and valid;

(d) Evaluations that are conducted using sufficient time and frequency, at least annually, to gather sufficient data upon which to base the ratings contained in and evaluation;

(e) Provision of adequate training and collaborative time to ensure that educators fully understand and have the resources to respond to student academic growth data;

(f) Student data that is monitored at least annually to ensure the correlation between student academic growth and outcomes with educator effectiveness ratings; and

(g) A process by which a nonprobationary teacher may appeal his or her second consecutive performance rating ineffective and submit such process by the first day of convening of the Legislature to the education committees of the house of representatives and the senate, or any successor committees.

(8) On or before March 1, 2011, to adopt and recommend to the state board a rubric for identifying multiple additional quality standards, in addition to student academic growth, that are rigorous, transparent, and valid, and fair;

(9) On or before March 1, 2011, to make recommendations to the state board for policy changes, and as appropriate, that will support local school districts use of evaluation data for decisions in areas such as compensation, promotion, retention, removal, and professional development;

(10) On or before March 1, 2011, to make recommendations to the state board for policy changes, and as appropriate, that will ensure that the standards and criteria applicable to teacher and principal licensure and the accreditation of preparation programs are directly aligned with and support the preparation and licensure of effective educators;

(11) On or before July 1, 2013 and July 1 each year thereafter during the implementation of the performance evaluation system, the department shall report to the council the results of the implementation and testing of the performance evaluation system. Based on the results of the reports, the council may make additional recommendations to be incorporated in the following stage of implementation.

(12) The council shall develop an implementation plan for its recommendations and will identify tasks and the associated costs at the state and district levels. The recommendations shall include an implementation cost analysis, including assessment changes, assessment pilot study, staff training, research, data review, and any other tasks included in the councils' recommendation. It is incumbent on the council to consult with the department and expert practitioners familiar with

school finance and to report by March 11, 2011, on the costs to implement the council's recommendations.

(D) The recommendations made by the council to the state board pursuant to this section shall reflect a consensus vote. For any issue that the council was unable to reach a consensus, the council shall provide to the state board the reasons it was unable to reach a consensus.

(E) The council's recommendations shall consist, at a minimum, of recommendations that are applicable to school principals and teachers.

(F) The council's recommendations may include changes to existing statutes or rules, if appropriate, as well as recommendations for local implementation.

(G) In making its recommendations, the council shall include the effect of district – and school – level conditions, as measured by the nine performance standards set forth in the comprehensive appraisal for the district improvement rubric and biannual teaching, empowering, leading, and learning initiative survey of school working conditions, as well as any additional methods of assessing such conditions identified by the council as valid, transparent, and reliable.

(H) the council may establish working groups, task forces, or other structures from within its membership or outside its membership as needed to address specific issues or to assist in its work.

(I) All recommendations made by the council pursuant to this section shall reflect a consensus of its members.

(J) Unless otherwise provided for, the department shall provide the council with the support, information, data, analytical information, and administrative support necessary to do its work.

(K)

(1) On or before September 11, 2011, the state board shall promulgate rules with regard to the issues specified in Paragraphs (1) to (10) of Subsection (C) of this Section 4, using the recommendations from the council. If the council fails to make recommendations to the state board by March 1, 2011, with regard to the issues specified in Paragraphs (1) to (10) of Subsection (C) of this Section 4, the state board shall on or before September 11, 2011, promulgate rules concerning any issues in said paragraphs (a) to (h) that the council did not address. In promulgating rules pursuant to this Subsection (K), the state board shall conform to the following timeline:

(a) Beginning with the 2011-2012 school year, the department shall work with school districts and boards of cooperative services to assist with the

development of performance evaluation systems that are based on quality standards.

(b) On or before January 15, 2012, the state board shall provide to the Legislature the rules promulgated pursuant to this Subsection (K). On or before February 15, 2012, the Legislature shall review and approve such rules as provided for in Paragraph (a) of this Subsection (K).

(c) Beginning with the 2012-2013 school year, if the Legislature approves the rules promulgated pursuant to this Subsection (K), the new performance evaluation system that is based on quality standards shall be implemented and tested as recommended by the council pursuant to Paragraph (3) of Subsection (C) of this Section 4.

(d)

(i) Beginning with the 2013-2014 school year, if the Legislature approves the rules promulgated pursuant to this Subsection (K), and based on the results of the first level of implementation in the 2012-2013 school year, the new performance evaluation system that is based on quality standards shall be implemented statewide in a manner as recommended by the council pursuant to Paragraph (3) of Subsection (C) of this Section 4.

(ii) During the 2013-2014 school year, teachers shall be evaluated based on quality standards. Demonstrated effectiveness or ineffectiveness shall begin to be considered in the acquisition of probationary or nonprobationary status.

(e)

(i) Beginning with the 2014-2015 school year, if the Legislature approves the rules promulgated pursuant to this Subsection (K), and based on the results of the first and second levels of implementation in the 2012-2013 and 2013-2014 school years, the new performance evaluation system that is based on quality standards shall be finalized on a statewide basis.

(ii) During the 2014-2015 school year, teachers shall continue to be evaluated based on quality standards. Demonstrated effectiveness or ineffectiveness shall be considered in the acquisition or loss of probationary or nonprobationary status.

(2) On or before February 15, 2012, the Legislature shall review the rules promulgated pursuant to the Paragraph (1) of this Subsection (K) in a bill that is separate from the annual rule review bill; except that the Legislature reserves the right to repeal individual rules contained in the rules promulgated by the state board. If one or more rules is not approved by the Legislature pursuant to this

Paragraph (2), the state board shall promulgate emergency rules on such issue or issues and resubmit to the Legislature on or before May 1, 2012. the Legislature shall review the emergency rules promulgated according to the process outlined in this Paragraph (2).

(L) On or before November 1, 2011, the department shall create and make available school districts and boards of cooperative services a resource bank that identified assessments, processes, tools, and policies that a school district or board of cooperative services may use to develop an evaluation system that addresses the provisions of this section. The department shall include resources that are appropriate to school districts and boards of cooperative services of different sizes, demographics, and location. The department shall update the resource bank at least annually to reflect new research and ongoing experience in [state].

(M) The department shall not be obligated to implement the provisions of this section until sufficient funds have been received and credited to the great teachers and leaders fund, created in Section 5. The department is hereby authorized to hire any employees necessary to carry out the provisions of this section. Any new position created pursuant to this section shall be subject to the availability of funding and shall be eliminated at such time as moneys are no longer available in the great teachers and leaders fund. All position descriptions and notice to hire for positions created pursuant to this section shall clearly state that such position is subject to available funding.

Section 5. {Great teachers and leaders fund – created – gifts, grants, and donations}

(A) The department is authorized to seek, accept, an expend federal grants for the implementation of Section 4; except that the department may not accept a gift grant, or donation except from federal moneys that is that is subject to conditions that are inconsistent with this or any law of the state. The department shall transmit all federal moneys received to the state treasurer, who shall credit the same to the great teachers and leaders fund, which fund is hereby created and referred to in this section as the “fund”. Moneys in the fund are continuously appropriated to the department for the direct and indirect costs associated with implementing Section 4.

(B) Any moneys in the fund not expended for the purposes of Section 4 may be invested by the state treasurer, as provided by law. All interest and income derived from the investment and deposit of moneys in the fund shall be credited to the fund. Any unexpended and unencumbered moneys remaining in the fund at the end of the fiscal year shall remain in the fund and shall not be credited or transferred to the general or another fun.

(C) For fiscal years 2010-2011 and 2011-2012, if two hundred fifty thousand dollars is not credited to the fund through federal grants on or before September 30, 2010, the commissioner shall notify the state treasurer of the difference. As provided for in Section 12, upon receipt of such notice, the state treasurer shall transfer to the fund the amount of the difference out of the contingency reserve fund, created pursuant to Section 12 for the

implementation of Section 4. If there is an insufficient amount in the contingency reserve fund, the state treasurer shall transfer to the fund any remaining amount of the difference from the state education fund for the implementation of Section 4.

(D) Nothing in this section shall be interpreted or require the department to solicit gifts, grants, or donation for the fund.

Section 6. {Local boards of education – duties – performance evaluation system}

(A) All school districts and boards of cooperative services that employ licensed personnel, as defined in section 22-9-103 (1.5), shall adopt a written system to evaluate the employment performance of school district and board of cooperative services licensed personnel, including all teachers, principals, and administrators, with the exception of licensed personnel employed by a board of cooperative services for a period of six weeks or less. In developing the licensed personnel performance evaluation system and any amendments thereto, the local board and board of cooperative services shall consult with administrators, principals, and teachers employed within the district or participating districts in a board of cooperative services, parents, and the school district licensed personnel performance evaluation council or the board of cooperative services personnel performance evaluation council created pursuant to section 22-9-107. The performance evaluation system shall address all the performance standards established by rule of the state board and adopted by the Legislature pursuant to Section 4, and shall contain, but need not be limited to, the following information:

(1) The frequency and duration of the evaluations, which shall be on a regular basis and of such frequency and duration as to ensure the collection of a sufficient amount of data from which reliable conclusions and findings may be drawn. At a minimum, the performance evaluation system shall ensure that:

(a) Probationary teachers receive at least two documented observations and one evaluation that results in a written evaluation report pursuant to Subsection (3) of this section each academic year.

Probationary teachers shall receive the written evaluation report at least two weeks before the last class day of the school year.

(b) Nonprobationary teachers receive at least one observation each year and one evaluation that results in a written evaluation report pursuant to subsection (3) of this section every three years; except that, beginning with the 2012-13 academic year, nonprobationary teachers shall receive a written evaluation report pursuant to subsection (3) of this section each academic year according to the performance standards established by rule of the state board and adopted by the Legislature pursuant to Section 4. Nonprobationary teachers shall receive the written evaluation report at least two weeks before the last class day of the school year.

(c) Principals shall receive one evaluation that results in a written evaluation report each academic year and according to the performance standards established by rule of the state board and adopted by the Legislature pursuant to Section 4.

(2) The purposes of the evaluation, which shall include but need not be limited to:

(a)

(i) Measuring the level of performance of all licensed personnel within the school district or employed by a board of cooperative services. This Sub-subparagraph (i) is repealed, effective at such time as the performance evaluation system based on quality standards established pursuant to this section and the rules promulgated by the state board pursuant to Section 4 has completed the initial phase of implementation and has been implemented statewide. The commissioner shall provide notice of such implementation to the revisor of statutes on or before July 1, 2014 and each July 1 thereafter until statewide implementation occurs.

(ii) Measuring the level of effectiveness of all licensed personnel within the school district. This sub-subparagraph (ii) shall take effect at such time as the performance evaluation system based on quality standards established pursuant to this section and the rules promulgated by the state board pursuant to Section 4 has completed the initial phase of implementation and been implemented statewide. The commissioner shall provide notice of such implementation to the revisor of statutes on or before July 1, 2014 and each July 1 thereafter until statewide implementation occurs.

(3)

(a) The standards set by the local board for satisfactory performance for licensed personnel and the criteria to be used to determine whether the performance of each licensed person meets such standards and other criteria for evaluation for each licensed personnel position evaluated. One of the standards for measuring teacher performance shall be directly related to classroom instruction and shall include multiple measures of student performance. The performance evaluation system shall also ensure that the standards and criteria are available in writing to all licensed personnel and are communicated and discussed by the person being evaluated and the evaluator prior to and during the course of the evaluation. This Subparagraph (a) is repealed at such time as the performance evaluation system based on quality standards established pursuant to this section and the rules promulgated by the state board pursuant to Section 4 has completed initial phase of implementation and

has been implemented statewide. The commissioner shall provide notice of such implementation to the revisor of statutes on or before July 1, 2014 and each July 1 thereafter until statewide implementation occurs.

(b) The standards set by the local board for effective performance for licensed personnel and the criteria to be used to determine whether the performance of each licensed person meets such standards and other criteria for evaluation for each licensed personnel position evaluated. One of the standards for measuring teacher effectiveness shall be directly related to classroom instruction and shall require that at least fifty percent of the evaluation determined by the academic growth of the teacher's students. The district accountability committee shall provide input and recommendations concerning the assessment tools used to measure student academic growth as it relates to teacher evaluations. The standards shall include multiple measures of student performance in conjunction with student growth expectations. For the purposes of measuring effectiveness, expectations of student academic growth shall take into consideration diverse factors, including but not limited to special education, student mobility, and classrooms with a student population in which ninety-five percent meet the definition of high-risk student as defined in section 22-7-604.5 (1.5). the performance evaluation system shall also ensure that the standards and criteria are available in writing to all licensed personnel and are communicated and discussed by the person being evaluated and the evaluator prior to and during the course of the evaluation. This Subparagraph (b) shall take effect at such time as the performance evaluation system based on quality standards established pursuant to this section and the rules promulgated by the state board pursuant to Section 4 has completed the initial phase of implementation and has been implemented statewide. The commissioner shall provide notice of such implementation to the revisor of statutes on or before July 1, 2014 and each July 1 thereafter until statewide implementation occurs.

(B)

(1) The council shall actively participate with the local board or board of cooperative services in developing written standards for evaluation that clearly specify satisfactory performance and the criteria to be used to determine whether the performance of each licensed person meets such standards pursuant to Paragraph (3) of Subsection (A) of this Section 6. This Paragraph (1) is repealed, effective at such time as the performance evaluation system based on quality standards established pursuant to this section and the rules promulgated by the state board pursuant to Section 4 has completed the initial phase of implementation and has been implemented statewide. The commissioner shall provide notice of such implementation to the revisor of statutes on or before July 1, 2014 and each July 1 thereafter until statewide implementation occurs.

(2) The council shall actively participate with the local board in developing written standards for evaluation that clearly specify performance standards and the quality standards and the criteria to be used to determine whether the performance of each licensed person meets such standards pursuant to Paragraph (3) of Subsection (A) of this Section 6. This Paragraph (2) shall take effect at such time as the performance evaluation system based on quality standards established pursuant to this section and the rules promulgated by the state board pursuant to Section 4 has completed the initial phase of implementation and has been implemented statewide. The commissioner shall provide notice of such implementation to the revisor of statutes on or before July 1, 2014 and each July 1 thereafter until statewide implementation occurs.

(C) Each principal or administrator who is responsible for evaluating licensed personnel shall keep records and documentation for each evaluation conducted. Each principal and administrator who is responsible for evaluating licensed personnel shall be evaluated as to how well he or she complies with this section and with the school district's evaluation system.

(D)

(1) A teacher or principal whose performance is deemed to be unsatisfactory pursuant to Paragraph (3) of Subsection (A) of this Section 6 shall be given notice of deficiencies. A remediation plan to correct the deficiencies shall be developed by the district or the board of cooperative services and the teacher or principal and shall include professional development opportunities that are intended to help the teacher or principal achieve an effective rating in his or her performance evaluation. The teacher or principal shall be given a reasonable period of time to remediate the deficiencies and shall receive a statement of the resources and assistance available for the purposes of correcting the performance or the deficiencies. This Paragraph (1) is repealed, effective at such time as the performance evaluation system based on quality standards established pursuant to this section and the rules promulgated by the state board pursuant to Section 4 has completed the initial phase of implementation and has been implemented statewide. The commissioner shall provide notice of such implementation to the revisor of statutes on or before July 1, 2014 and each July 1 thereafter until statewide implementation occurs.

(2)

(a) A teacher or principal whose performance is deemed to be ineffective pursuant to Paragraph (3) of subsection (A) of this Section 6 shall receive written notice that his or her performance evaluation shows a rating of ineffective, a copy of the documentation relied upon in measuring his or her performance, and identification of deficiencies.

(b) Each school district shall ensure that a nonprobationary teacher who objects to a rating of ineffectiveness has an opportunity to appeal that

rating, in accordance with a fair and transparent process developed, where applicable, through collective bargaining. At minimum, the appeal process provided shall allow a nonprobationary teacher to appeal the rating of ineffectiveness to the superintendent or his or her designee of the school district and shall place the burden upon the nonprobationary teacher to demonstrate that rating of effectiveness was appropriate. If there is no collective bargaining agreement in place, following the ruling of the superintendent or his or her designee, the appealing teacher may request a review by a mutually agreed-upon third party. The decision of the third party shall review whether the decision was arbitrary or capricious and shall be binding on both parties. The cost of any such review shall be borne equally by both parties. Where a collective bargaining agreement is in place, either party may choose to opt into this process. The superintendent's designee shall not be the principal who conducted the evaluation. For a nonprobationary teacher, a remediation plan to correct the deficiencies shall be developed by the district or the board of cooperative services and shall include professional development opportunities that are intended to help the nonprobationary teacher to achieve an effective rating in his or her next performance evaluation. The nonprobationary teacher shall be given a reasonable period of time to remediate the deficiencies and shall receive a statement of the resources and assistance available for the purpose of improving effectiveness.

(c) This paragraph (c) shall take effect at such time as the performance evaluation system based on quality standards established pursuant to the section and the rules promulgated by the state board pursuant to Section 4 has completed the initial phase of implementation and has been implemented statewide. The commissioner shall provide notice of such implementation to the revisor of statutes on or before July 1, 2014 and each July 1 thereafter until statewide implementation occurs.

(d) Subparagraph (b) of this Paragraph (2) is repealed, effective February 15, 2013.

(E)

(1) No person shall be responsible for the evaluation of licensed personnel unless the person has a principal or administrator license issued pursuant to [insert appropriate reference] or is a designee of a person with a principal or administrator license and has received education and training in evaluation skills approved by the department of education that will enable him or her to make fair, professional, and credible evaluations of the personnel whom he or she is responsible for evaluating. No person shall be issued a principal or administrator license or have a principal or administrator license renewed unless the state board determines that such person has received education and training approved by the department of education.

(F)

(1) Any person whose performance evaluation includes a remediation plan shall be given an opportunity to improve his or her performance through the implementation of the plan. If the next performance evaluation shows that the person is performing satisfactorily, no further action shall be taken concerning the original performance evaluation. If the evaluation shows the person is still not performing satisfactorily, the evaluator shall either make additional recommendations for improvement or may recommend the dismissal of the person, which dismissal shall be in accordance with the provisions of [insert appropriate reference] if the person is a teacher. This paragraph (1) is repealed, effective at such time as the performance evaluation system based on quality standards established pursuant to the section and the rules promulgated by the state board pursuant to Section 4 has completed the initial phase of implementation and has been implemented statewide. The commissioner shall provide notice of such implementation to the revisor of statutes on or before July 1, 2014 and each July 1 thereafter until statewide implementation occurs.

(2) Any person whose performance evaluation includes remediation plan shall be given an opportunity to improve his or her effectiveness through the implementation of the plan. If the next performance evaluation shows that the person is performing effectively, no further action shall be taken concerning the original performance evaluation. If the evaluation shows the person is still not performing effectively, he or she shall receive written notice that his or her performance evaluation shows a rating of ineffective, a copy of the documentation relied upon in measuring the person's performance, and identification of deficiencies. Each school district shall ensure that a nonprobationary teacher who objects to a rating of ineffectiveness has an opportunity to appeal that rating, in accordance with a fair and transparent process developed, where applicable, through collective bargaining. At minimum, the appeal process provided shall allow a nonprobationary teacher to appeal the rating of ineffectiveness to the superintendent of the school district and shall place the burden upon the nonprobationary teacher to demonstrate that a rating of effectiveness was appropriate. The appeal process shall take no longer than ninety days, and the nonprobationary teacher shall not be subjected to a possible loss of nonprobationary status until after a final determination regarding the rating of ineffectiveness is made. For a person who receives a performance rating of ineffective, the evaluator shall either make additional recommendations for improvement or may recommend the dismissal of the person, which dismissal shall be in accordance with the provisions of article 63 of this title if the person is a teacher. This Paragraph (2) shall take effect at such time as the performance evaluation system based on quality standards established pursuant to the section and the rules promulgated by the state board pursuant to Section 4 has completed the initial phase of implementation and has been implemented statewide. The commissioner shall provide notice of such implementation to the revisor of

statutes on or before July 1, 2014 and each July 1 thereafter until statewide implementation occurs.

(G) Every principal shall be evaluated using multiple fair, transparent, timely, rigorous, and valid methods. The recommendations developed pursuant to this Subsection (G) shall require that at least fifty percent of the evaluation is determined by the academic growth of the students enrolled in the principal's school. For principals, the quality standards shall include but need not be limited to:

- (1) The number and percentage of licensed personnel in the principal's school who are rated as effective or highly effective; and
- (2) The number and percentage of licensed personnel in the principal's school who are rated as ineffective but are improving in effectiveness.

(H) On or before August 1, 2014 each local board of education shall develop, in collaboration with a local teachers association or, if none exists, with teachers from the district, an incentive system, the purpose of which shall be to encourage effective teachers in high-performing schools to move to jobs in schools that have low performance ratings.

Section 7. {School district accountability committees – powers and duties}

(A) Each school district accountability committee shall have the following powers and duties:

- (1) To provide input and recommendations on an advisory basis to principals concerning the development and use of assessment tools used for the purpose of measuring and evaluating student academic growth as it relates to teacher evaluations.
- (2) The school accountability committee for the principal's school shall provide input and recommendations to the district accountability committee and the district administration concerning the principal's evaluation.

Section 8. {School accountability committee – powers and duties – meetings}

(A) Each school accountability committee shall have the following powers and duties:

- (1) To provide input and recommendations on an advisory basis to district accountability committees and district administration concerning:
 - (a) Principal development plans for their principal pursuant to Section 6; and
 - (b) Principal evaluations conducted pursuant to Section 6.

Section 9. {Employment contracts – contracts to be in writing – duration – damage provision}

(A)

(1)

(a) The Legislature finds that, for the fair evaluation of a principal based on the demonstrated effectiveness of his or her teachers, the principal needs the ability to select teachers who have demonstrated effectiveness and have demonstrated qualifications and teaching experience that support the instructional practices of his or her school. Therefore, each employment contract executed pursuant to this section shall contain a provision stating that a teacher may be assigned to a particular school only with the consent of the hiring principal and with input from at least two teachers at the school to represent them in the hiring process, and after a review of the teacher's demonstrated effectiveness and qualifications, which review demonstrates that the teacher's qualification and teaching experience support the instructional practices of his or her school.

(b)

(i) Any active nonprobationary teacher who, during the prior school year, was deemed satisfactory, or was deemed effective in a district that has implemented a multi-tiered evaluation system and has identified ratings equivalent to effective, and has not secured a position through school-based hiring shall be a member of a priority hiring pool, which priority pool shall ensure the nonprobationary teacher a first opportunity to interview for available positions for which he or she is qualified in a school district.

(ii) When a determination is made that a nonprobationary teacher's services are no longer required for the reasons set forth in Subparagraph (g) of this Paragraph (1), the nonprobationary teacher shall be notified of his or her removal from the school. In making decisions pursuant to this Paragraph (1), a school district shall work with its local teachers association to develop policies for the local school board to adopt. If no teacher association exists in the school district, the school district shall create an eight person committee consisting of four school district members and four teachers, which committee shall develop such policies. Upon notice to the nonprobationary teacher, the department of human resources for the school district shall immediately provide the nonprobationary teacher with a list of all vacant positions for

which he or she is qualified, as well as a list of vacancies in any area identified by the school district to be an area of critical need. An application for vacancy shall be made to the principal of a listed school, with a copy of the application provided by the nonprobationary teacher to the school district. When a principal recommends appointment of a probationary teacher applicant to a vacant position, the nonprobationary teacher shall be transferred to that position.

(iii) This Subparagraph (b) is revealed, effective at such time as the performance evaluation system based on quality standards established pursuant to this section and the rules promulgated by the state board pursuant to Section 4 has completed the initial phase of implementation and has been implemented statewide. The commissioner shall provide notice of such implementation to the revisor of statutes on or before July 1, 2014 and each July 1 thereafter until statewide implementation occurs.

(c)

(i) Any active nonprobationary teacher who was deemed effective during the prior school year and has not secured mutual consent placement shall be a member of a priority hiring pool, which priority hiring pool shall ensure the nonprobationary teacher a first opportunity to interview for a reasonable number of available positions for which he or she is qualified in the school district.

(ii) When a determination is made that a nonprobationary teacher's services are no longer required for the reasons set forth in Subparagraph (g) of this Paragraph (1), the nonprobationary teacher shall be notified of his or her removal from the school. In making decisions pursuant to this Paragraph (1), a school district shall work with its local teachers association to develop policies for the local school board to adopt. If no teacher association exists in the school district, the school district shall create an eight person committee consisting of four school district members and four teachers, which committee shall develop such policies. Upon notice to the nonprobationary teacher, the school district shall immediately provide the nonprobationary teacher with a list of all vacant positions for which he or she is qualified, as well as a list of vacancies in any area identified by the school district to be an area of critical need. An application for a vacancy shall be made to the principal of a listed school, with a copy of the application provided by the nonprobationary teacher to the school district. When a principal recommends appointment of a nonprobationary teacher

applicant to a vacant position, the nonprobationary teacher shall be transferred to that position.

(iii) This Subparagraph (c) shall take effect at such a time as the performance evaluation system based on quality standards established pursuant to this section and the rules promulgated by the state board pursuant to Section 4 has completed the initial phase of implementation and has been implemented statewide. The commissioner shall provide notice of such implementation to the revisor of statutes on or before July 1, 2014 and each July 1 thereafter until statewide implementation occurs.

(d) If a nonprobationary teacher is unable to secure a mutual consent assignment at a school of the school district after twelve months or two hiring cycles, whichever period is longer, the school district shall place the teacher on unpaid leave until such a time as the teacher is able to secure an assignment. If the teacher secures an assignment at a school of the school district while placed on unpaid leave, the school district shall reinstate the teacher's salary and benefits at the level they would have been if the teacher had not been placed in unpaid leave.

(e) Nothing in this section shall limit the ability of a school district to place a teacher in a twelve-month or other limited-term assignments, including, but not limited to, a teaching assignment, substitute assignment, or instructional support role during the period in which the teacher is attempting to secure an assignment through school-based hiring. Such an assignment shall not constitute an assignment through school-based hiring and shall not be deemed to interrupt the period in which the teacher is required to secure an assignment through school-based hiring before the district shall place the teacher on unpaid leave.

(f) The provisions of this Paragraph (1) may be waived in whole or in part for a renewable four-year period by the state board of education, provided that the local school board applying for the waiver, in conjunction with the superintendent and teachers association in a district that has an operating master employment contract, if applicable, demonstrates that the waiver is in the best interest of students enrolled in the school district, supports the equitable distribution of effective teachers, and will not result in placement other than by mutual consent of the teacher in a school district or public school that is required to implement a priority improvement plan or turnaround plan. Notwithstanding the provisions of this Paragraph (1), a waiver shall not be granted for a request that extends the time for securing an assignment through school-based hiring for more than two years.

(g) This Paragraph (1) shall apply to any teacher who is displaced as a result of drop in enrollment; turnaround; phase-out; reduction in program;

or reduction in building, including closure, consolidation, or reconstitution.

(B) A teacher may be suspended temporarily during the contractual period until the date of dismissal as ordered by the board or may have his or her employment contract cancelled during the contractual period when there is a justifiable decrease in the number of teaching positions. The manner in which employment contracts will be cancelled when there is a justifiable decrease in the number of teaching positions shall be included in any contract between the board of education of the school district and school district employees or in an established policy of the board, which contract or policy shall include the criteria described in Section 6 as significant factors in determining which employment contracts to cancel as a result of the decrease in teaching positions. Effective February 15, 2012, the contract or policy shall include consideration of probationary and nonprobationary status and the number of years a teacher has been teaching in the school district; except that these criteria may be considered only after the consideration of the criteria described in Section 6 and only if the contract or policy is in the best interest of the students enrolled in the school district.

Section 10. {Probationary teachers – renewal and nonrenewal of employment contract}

(A)

(1) Except as provided for in Paragraph (2) of this Subsection (A), the provisions of this section shall apply only to probationary teachers and shall no longer apply when the teacher has been reemployed for the fourth year. This Paragraph (1) is repealed, effective July 1, 2014.

(2) For any school district that has implemented the performance evaluation system based on quality standards pursuant to Section 6 and the rules adopted by the state board pursuant to Section 4, the provisions of this section shall apply only to probationary teachers and shall no longer apply when the teacher has been granted nonprobationary status as a result of three consecutive years demonstrated effectiveness, as determined through his or her performance evaluations and continuous employment.

(B)

(1) The three consecutive school years of demonstrated effectiveness and continuous employment required for the probationary period shall not be deemed to be interrupted by the temporary illness of a probationary teacher. A leave of absence approved by the board of a school district or a military leave of absence shall not be considered to be an interruption of the consecutive years of demonstrated effectiveness and continuous employment required for the probationary period, but the time of such leaves of absence shall not be included in computing the required probationary period.

(2) The three consecutive school years of demonstrated effectiveness and continuous employment required for the probationary period shall not be deemed to be interrupted by the acceptance by a probationary teacher of the position of chief administrative officer in said school district, but the period of time during which such teacher serves in such capacity shall not be included in computing said probationary period.

(C)

(1) Beginning with the 2010-2011 school year, an employing school district may opt to renew the teacher's contract on either a probationary or a nonprobationary status or to not renew the contract of a probationary teacher who has completed his or her third year of employment. This Paragraph (1) shall be repealed after the performance evaluation system based on quality standards has been implemented pursuant to Section 4.

(2) A probationary teacher who is deemed to be performing satisfactorily in any of school years 2010-2011, 2011-2012, and 2012-2013 shall be deemed to have performed effectively during the same school year or year. Beginning with the 2013-2014 school year, all teachers shall be evaluated in accordance with the new performance evaluation system that it based on measures of effectiveness; however, a school district may extend the probationary status of a teacher who has three consecutive satisfactory ratings as of July 1, 2013, by no more than one year.

Section 11. {Nonprobationary portability}

Beginning with the 2014-2015 school year, a nonprobationary teacher, except for a nonprobationary teacher who has had two consecutive performance evaluation with an ineffective rating, who is employed by a school district and is subsequently hired by a different school district may provide to the hiring school district evidence of his or her student academic growth data and performance evaluations for the prior two years for the purposes of retaining nonprobationary status. If, upon providing such data, the nonprobationary teacher can show two consecutive performance evaluations with effectiveness ratings in good standing, he or she shall be granted nonprobationary status in the hiring school district.

Section 12. {Contingency reserve – capital construction expenditures reserve – fund – lottery proceeds contingency reserve}

(A)

(1) As provided for in Subsection (3) of Section 5 and upon receipt of notice from the commissioner, for fiscal years 2010-2011 and 2011-2012, the state treasurer shall deduct an amount not to exceed two hundred fifty thousand dollars from the

contingency reserve fund and transfer such amount to the great teachers and leaders fund, created in Section 5.

Section 13. {Transfer – compensation}

Nothing in this section shall be construed as requiring a receiving school to involuntarily accept the transfer of a teacher. All transfers to position at other school of the school district shall require the consent of the receiving school.

Section 14. {Safety clause}

The Legislature hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

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As of 6/29/2010

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Mission Statement

The American Legislative Exchange Council's mission is...

To advance the Jeffersonian Principles of free markets, limited government, federalism, and individual liberty through a nonpartisan public-private partnership among America's state legislators, concerned members of the private sector, the federal government, and the general public.

To promote these principles by developing policies that ensure the powers of government are derived from, and assigned to, first the People, then the States, and finally the Federal Government.

To enlist state legislators from all parties and members of the private sector who share ALEC's mission.

To conduct a policy making program that unites members of the public and private sector in a dynamic partnership to support research, policy development, and dissemination activities.

To prepare the next generation of political leadership through educational programs that promote the principles of Jeffersonian democracy, which are necessary for a free society.

SCHOLARSHIP POLICY BY MEETING

ALEC Spring Task Force Summit:

1. ***Spring Task Force Summit Reimbursement Form:*** ALEC Task Force Members are reimbursed by ALEC up to \$350.00 for travel expenses. Receipts must be forwarded to the ALEC Policy Coordinator and approved by the Director of Policy.
2. ALEC Task Force Members' room & tax fees for a two-night stay are covered by ALEC.
3. *Official Alternate Task Force Members* (chosen by the State Chair and whose names are given to ALEC more than 35 days prior to the meeting to serve in place of a Task Force Member who cannot attend) are reimbursed in the same manner as Task Force Members.
4. ***State Scholarship Reimbursement Form:*** Any fees above \$350, or expenses other than travel and room expenses can be submitted by Task Force Members for payment from their state scholarship account upon the approval of the State Chair. Receipts must be submitted to the State Chair, who will submit the signed form to the Director of Membership.
5. *Non-Task Force Members* can be reimbursed out of the state scholarship fund upon State Chair approval. Receipts must be submitted to the State Chair, who will submit the appropriate signed form to the Director of Membership.

ALEC Annual Meeting:

State Scholarship Reimbursement Form: State scholarship funds are available for reimbursement by approval of your ALEC State Chair. Expenses are reimbursed after the conference, and may cover the cost of travel, room & tax, and registration. Receipts are to be submitted to the State Chair, who will then submit the signed form to the Director of Membership.

ALEC States & Nation Policy Summit:

1. ***States & Nation Policy Summit Reimbursement Form:*** ALEC offers two scholarships per state to cover the cost of travel, room & tax, and registration not to exceed \$1,000.00 per person for a total of \$2,000.00 per state. ALEC scholarship recipients must be named by the ALEC State Chair. Expenses are submitted to the State Chair and reimbursed after the conference. The State Chair submits the signed form to the Director of Membership.
2. ***State Scholarship Reimbursement Form:*** Any other fees or payments must come out of the state scholarship account, with the approval of the State Chair. Receipts must be submitted to the State Chair, who submits the signed form to the Director of Membership.

ALEC Academies:

Academy Reimbursement Form: Attendees of ALEC Academies are reimbursed by the Task Force Committee hosting the Academy. Attendees will receive a form at the Academy, and will be reimbursed up to \$500.00 for travel, and room & tax fees for a two-night stay by ALEC. Receipts must be forwarded to the appropriate Task Force Director and approved by the Director of Policy.



American Legislative Exchange Council TASK FORCE OPERATING PROCEDURES

I. MISSION OF TASK FORCES

Assume the primary responsibility for identifying critical issues, developing ALEC policy, and sponsoring educational activities which advance the Jeffersonian principles of free markets, limited government, federalism, and individual liberty. The mission will be accomplished through a non-partisan, public and private partnership between ALEC's legislative and private sector members in the specific subject areas assigned to the Task Force by the Board of Directors.

II. TASK FORCE RESPONSIBILITIES

- A. Task Forces have the primary responsibility for identifying critical issues and developing ALEC's official policy statements and model legislation appropriate to the specific subject areas of the Task Force.
- B. Task Forces serve as forums for an exchange of ideas and sharing of experiences between ALEC's state legislator and private sector members.
- C. Task Forces are responsible for developing and sponsoring the following educational activities appropriate to the specific subject area of the Task Force:
 - publications that express policy positions, including, but not limited to State Factors and Action Alerts;
 - educational communication and correspondence campaigns;
 - issue specific briefings, press conferences and press campaigns;
 - witness testimony and the activities of policy response teams;
 - workshops at ALEC's conferences; and
 - specific focus events.
- D. The Executive Director is to ~~Task Forces are responsible for developing an annual budgets,~~ which shall include expenses associated with Task Force meetings and educational activities. A funding mechanism to finance all meetings and educational activities proposed by Task Forces must be available before they can be undertaken.

III. GENERAL PROCEDURES

- A. Requests from ALEC members for policy statements, model legislation and educational activities shall be directed by the Executive Director to the appropriate Task Force, or the Board of Directors if the issue does not fall within the jurisdiction of any Task Force. The appropriate Public and Private Sector Task Force Co-Chairs determine the agenda for each Task Force meeting, and the meetings will be called and conducted in accordance with these Operating Procedures.

The Director of Policy with the consent of the Executive Director assigns a model bill or resolution to the most appropriate Task Force based on Task Force content and prior jurisdictional history 35 days before a Task Force Meeting. All Task Force Co-Chairs will be provided an email or fax summary of all model bills and resolutions 35 days before the Task Force meeting

If both the Co-Chairs of a Task Force are in agreement that they should have jurisdiction on model legislation or a resolution, the legislation or resolution will be considered by the Task Force. If the other Task Force Co-Chairs believe they should have jurisdiction or if the author of the model bill or resolution does not agree on the jurisdictional assignment of the bill, they will have 10 days after the 35-day mailer deadline to submit in writing or by electronic appeal to the Director of Policy their intent to challenge the jurisdiction assignment. The Director of Policy will notify the Executive Director who will in turn notify the National Chair and the Private Enterprise Board Chair. The National Chair and the Private Enterprise Board Chair will in turn refer the matter in question to the Board of Directors Task Force Board Committee. The Director of Policy will establish a conference call for the Task Force Board Committee co- chairs, the author, the affected Task Force Co-Chairs and the Director of Policy at a time convenient for all participants.

The Task Force Board Committee Co-Chairs shall listen to the jurisdictional dispute by phone or in person within 10 days of the request. If both Task Force Board Committee Co-Chairs are in agreement that the Director of Policy made an incorrect jurisdictional referral, only then will the model bill or resolution be reassigned to a committee as they specify once agreed upon by the National Chair and the Private Enterprise Board Chair. The bill or model resolution is still eligible to be heard in whatever Task Force it is deemed to be assigned to as if submitted to the correct Task Force for the 35-day mailer. The National Chair and the Private Enterprise Board Chair decision is final on this model bill or resolution.

Joint referral of model legislation and/or resolutions are allowed if all the affected Task Force Co-Chairs agree. All model legislation and resolutions that have been referred to, more than one Task Force must pass the identical language in both Task Forces within two consecutive Task Force meetings. It is at the Task Force

Co-Chairs discretion how they will handle the hearings of the model legislation or resolution. Both sets of co-chairs have the ability to call a working group, subcommittee, or simply meet consecutively or concurrently if necessary.

If the Task Force co-chairs both agree to waive jurisdiction, they may do so as long as another Task Force still has jurisdiction.

The National Chair and the Private Sector Board Chair will rely upon the Task Force Board Committee Co-Chairs for advice and recommendations on model legislation or resolutions when no jurisdiction in any of the existing Task Forces in operation can be found. The Task Force Board Committee Co-Chairs will work with the Executive Director and the Director of Policy to identify public and private sector Task Force members (not alternates) from the existing Task Forces should their expertise be of assistance to the Task Force Board Committee in reaching a determination and recommendation for approval by the National Chair and the Private Enterprise Board Chair.

- B. The National Chair and the Private Sector Board Chair will rely upon the Task Force Board Committee Co-Chairs for advice and recommendations on model legislation or resolutions when no jurisdiction in any of the existing Task Forces in operation can be found. The Task Force Board Committee Co-Chairs will work with the Executive Director and the Director of Policy to identify public and private sector Task Force members (not alternates) from the existing Task Forces should their expertise be of assistance to the Task Force Board Committee in reaching a determination and recommendation for approval by the National Chair and the Private Enterprise Board Chair.
- C. The Board of Directors shall have ultimate authority over Task Force procedures and actions including the authority to create, to merge or to disband Task Forces and to review Task Force actions in accordance with these Operating Procedures. Nothing in these Operating Procedures prohibits the Board of Directors from developing ALEC policy; however, such a practice should be utilized only in exceptional circumstances. Before the policy is adopted by the Board of Directors, it should be sent to the Public and Private Sector Task Force Co-Chairs under whose jurisdiction the matter falls for review and comment back to the Board of Directors.
- D. The operating cycle of a Task Force is two years. A new operating cycle begins on January 1 of each odd numbered year and ends on December 31 of the following even numbered year. Task Force activities shall be planned and budgeted on an annual basis within each two-year operating cycle.
- E. ~~At the ALEC Annual Meeting, each Task Force will be responsible for determining an operating budget for the succeeding calendar year. The Executive Director will notify the Task Force Co-Chairs, at the ALEC Annual Meeting, what inflation factor will be used by the Task Force to determine the operating~~

~~and programming budgets. Task Force membership and budget information will be reported to the Executive Director by the Public and Private Sector Task Force Co-Chairs. The Executive Director will present this information to the Board of Directors at its regular fall meeting.~~

- F. If a Task Force is unable to develop an operating budget, the Board of Directors will determine whether to continue the operations of the Task Force. This determination will be made according to: (1) the level of membership on the Task Force, and (2) the need for continued services developed by the Task Force for ALEC.
- G. The Board of Directors shall have the authority to allocate limited general support funds to finance the annual operating budget of Task Forces that meet the requirements prescribed in Section III (E). The Executive Director shall determine, and report to the Board of Directors, the amount of general support funds available to underwrite such Task Forces.

IV. MEMBERSHIP AND MEMBER RESPONSIBILITIES

- A. The membership of a Task Force consists of legislators who are members in good standing of ALEC and are duly appointed to the Task Force, in accordance with Section VI (A) and private sector organizations that are full members of ALEC, contribute to the assessment for the Task Force operating budget, and are duly appointed to the Task Force, in accordance with Section VI (B). Private sector organizations that were full members of ALEC and contributed the assessment for the Task Force's operating budget in the previous year, can be appointed to the Task Force for the current year, conditional upon renewal of full ALEC membership and receipt of the current year's assessment for the Task Force operating budget prior to March 31st, unless an alternative date has been approved by the Executive Director.
- B. Each Task Force shall have least two Co-Chairs; a Public Sector Task Force Co-Chair and a Private Sector Task Force Co-Chair. The Public Sector Task Force Co-Chair must be a member of the Task Force and appointed in accordance with Section VI (A). The Private Sector Co-Chair must represent a private sector member of the Task Force and be appointed in accordance with Section VI(B). The Co-Chairs shall be responsible for:
 - (1) calling the Task Force and the Executive Committee meetings to order, setting the agenda and co-chairing such meetings;
 - (2) appointing and removing legislators and private sector members to and from the Task Force Executive Committee and subcommittees;
 - (3) creating subcommittees, and determining each subcommittee's mission, membership limit, voting rules, deadlines, and term of service; and

- (4) selecting Task Force members to provide support for and against Task Force policies during formal Board reviews.
- C. Each Task Force shall have an Executive Committee appointed by the Public and Private Sector Task Force Co-Chairs that is appropriate in number to carry out the work product and strategic plan of ALEC and the Task Force. The Executive Committee shall consist of the Public Sector Task Force Co-chair, the Private Sector Task Force Co-Chair, the subcommittee co-chairs, and the remainder will be an equal number of legislative and private sector Task Force members. The Executive Committee will be responsible for determining the operating budget and proposing plans, programs and budgets for the succeeding year in accordance with (Section V (B); determining if a proposed educational activity conforms to a previously approved model bill, resolution or policy statement in accordance with (Section IX (F); and determining if an emergency situation exists that justifies waiving or reducing appropriate time limits in accordance with (Section VIII (H)).
- D. Each Task Force may have any number of subcommittees, consisting of Task Force members and advisors to focus on specific areas and issues and make policy recommendations to the Task Force. The Task Force Co-chairs, shall create subcommittees and determine each subcommittee's mission, membership limit, voting rules, deadlines, and term of service. Any model bill, resolution or policy statement approved by a subcommittee must be approved by the Task Force before it can be considered official ALEC policy.
- E. Each Task Force may have advisors, appointed in accordance with Section VI (G). Advisors shall assist the members and staff of the Task Force. They shall be identified as advisors on official Task Force rosters, included in all official Task Force mailings and invited to all Task Force meetings. Advisors may also have their expenses paid at Task Force meetings covered by the Task Force operating budget with the approval of the Task Force Co-Chairs. An advisor cannot be designated as the primary contact of a private sector Task Force member, cannot be designated to represent a private sector Task Force member at a Task Force, Executive Committee, or subcommittee meeting, and cannot offer or vote on any motion at a Task Force, Executive Committee, or subcommittee meeting.

V. Task Force Budgets

- A. Each Task Force shall develop and operate a yearly budget to fund meetings.
- B. The operating budget shall be used primarily to cover expenses for Task Force meetings, unless specific funds within the budget are authorized for other use by the Task Force. The operating budget shall be assessed equally among the private sector members of the Task Force. The Executive Director, in consultation with the Task Force Co-Chairs shall determine which costs associated with each meeting will be reimbursed from the operating budget. Any funds remaining in a

Task Force's operating budget at the end of a year are transferred to ALEC's general membership account.

- C. The operating budget shall not be used to cover Task Force meeting expenses associated with alternate task force members' participation, unless they are appointed by their State Chair to attend the Spring Task Force Summit with the purpose to serve in place of a Task Force Member who is unable to attend. Task Force meeting expenses of alternate task force members shall be covered by their state's scholarship account.
- D. The programming budget shall be used to cover costs associated with educational activities. Contributions to the programming budget are separate, and in addition to operating budget contributions and annual general support/membership contributions to ALEC. The Executive Director shall determine the contribution required for each educational activity.

VI. PROCESS FOR SELECTING TASK FORCE MEMBERS, CHAIRS, COMMITTEES AND ADVISORS

- A. Prior to February 1 of each odd-numbered year, the current and immediate past National chairman will jointly select and appoint in writing three legislative members and three alternates to the Task Force who will serve for the current operating cycle, after receiving nominations from ALEC's Public and Private State Chairs, the Executive Director and the ALEC Public and Private Sector members of the Board. At any time during the year, the National Chairman may appoint in writing new legislator members to each Task Force, except that no more than three legislators from each state may serve as members of any Task Force, no legislator may serve on more than one Task Force and the appointment cannot be made earlier than thirty days after the new member has been nominated. In an effort to ensure the nonpartisan nature of each Task Force, it is recommended that no more than two legislators of any one political party from the same state be appointed to serve as members of any Task Force. A preference will be given to those ALEC legislator members who serve on or chair the respective Committee in their state legislature. A preference will be given to legislators who sponsor ALEC Task Force model legislation in the state legislature.
- B. Prior to January 10 of each odd-numbered year, the current and immediate past National Chairman will jointly select and appoint in writing the Task Force Chair who will serve for the current operating cycle, after receiving nominations from the Task Force. Nominations will be requested by the outgoing Task Force Chair and may be placed in rank order prior to transmittal to the Executive Director no later than December 1 of each even-numbered year. No more than five names may be submitted in nomination by the outgoing Task Force chair. The current and immediate past National Chairmen will jointly make the final selection, but

should give strong weight to the recommendations of the outgoing Task Force Chair. In an effort to empower as many ALEC leaders as possible, State Chairs and members of the Board of Directors will not be selected as Task Force Chairs. Task Force Chairs shall serve for one operating cycle term. Where special circumstances warrant, the current and immediate past National Chairmen may reappoint a Task Force Chair to a second operating cycle term.

- C. Prior to February 1 of each odd numbered year, the Public and Private Sector Task Force Co-Chairs will select and appoint in writing the legislative and private sector members of the Task Force Executive Committee, who will serve for the current operating cycle. The Public and Private Sector Task Force Co-Chairs will select and appoint in writing the legislative and private sector members and advisors to any subcommittee.
- D. Prior to February 1 of each year, the Private Enterprise Board Chair and the immediate past Private Enterprise Board Chair will select and appoint in writing the private sector members to the Task Force who will serve for the current year. The appointment letter shall be mailed to the individual designated as the primary contact for the private sector entity. At any time during the year, the Chair of the Private Enterprise Board may appoint in writing new private sector members to each Task Force, but no earlier than thirty days after the new member has qualified for full membership in ALEC and contributed the assessment for the appropriate Task Force's operating budget.
- E. Prior to January 10 of each odd-numbered year, the Chair of the Private Enterprise Board and the immediate past Private Enterprise Board Chair will select and appoint in writing the Task Force Private Sector Co-Chair who will serve for the current operating cycle, after receiving nominations from the Task Force. Nominations will be requested by the outgoing Task Force Private Sector Chair and may be placed in rank order prior to transmittal to the Chair of the Private Enterprise Board. The Chair and the immediate past Chair of the Private Enterprise Board will make the final selection, but should give strong weight to the recommendations of the outgoing Private Sector Task Force Co-Chair. In an effort to empower as many ALEC private sector members as possible, Private Enterprise State Chairs and members of the Private Enterprise Board will not be selected as Private Sector Task Force Co-Chairs. Private Sector Task Force Co-Chairs shall serve for one operating cycle term. Where special circumstances warrant, the current and immediate past Chair of the Private Enterprise Board may reappoint a Task Force Private Sector Chair to a second operating cycle term.
- F. Prior to February 1 of each odd-numbered year, the Task Force Private Sector Co-Chair will select and appoint in writing the private sector members of the Task Force Executive Committee, who will serve for the current operating cycle. The Task Force Private Sector Co-Chair shall select and appoint in writing the private sector members of any subcommittees.

- G. The Public and Private Sector Task Force Co-Chairs, may jointly appoint subject matter experts to serve as advisors to the Task Force. The National Chair and the Private Enterprise Board Chair may also jointly recommend to the Task Force Co-Chairs subject matter experts to serve as advisors to the Task Force.

VII. REMOVAL AND VACANCIES

- A. The National Chair may remove any Public Sector Task Force Co-Chair from his position and any legislative member from a Task Force with or without cause. Such action will not be taken except upon thirty days written notice to such Chair or member whose removal is proposed. For purposes of this subsection, cause may include failure to attend two consecutive Task Force meetings.
- B. The Public Sector Task Force Co-Chair may remove any legislative member of an Executive Committee or subcommittee from his position with or without cause. Such action shall not be taken except upon thirty days written notice to such member whose removal is proposed. For purposes of this subsection, cause may include failure to attend two consecutive meetings.
- C. The Chairman of the Private Enterprise Board may remove any Private Sector Task Force Co-Chair from his position and any private sector member from a Task Force with cause. Such action shall not be taken except upon thirty days written notice to such Chair or member whose removal is proposed. For purposes of this subsection, cause may include but is not limited to the non-payment of ALEC General Membership dues and the Task Force dues. .
- D. The Private Sector Task Force Co-Chair may remove any private sector member of an Executive Committee or subcommittee from his position with cause. Such action shall not be taken except upon thirty days written notice to such member whose removal is proposed. For purposes of this subsection, cause may include but is not limited to the non-payment of ALEC General Membership dues and the Task Force dues.
- E. The Public and Private Sector Task Force Co-Chairs may remove an advisor from his position with or without cause. Such action shall not be taken except upon thirty days written notice to such advisor whose removal is proposed.
- F. Any member or advisor may resign from his position as Public Sector Task Force Co-Chair, Private Sector Task Force Co-Chair, public or private sector Task Force member, Task Force advisor, Executive Committee member or subcommittee member at any time by writing a letter to that effect to the Public Sector and Private Sector Task Force Co-Chairs. The letter should specify the effective date of the resignation, and if none is specified, the effective date shall be the date on which the letter is received by the Public and Private Task Force Co-Chairs.

- G. All vacancies for Public Sector Task Force Co-Chair, Private Sector Task Force Co-Chair, Executive Committee member and subcommittee member shall be filled in the same manner in which selections are made under Section VI. All vacancies to these positions must be filled within thirty days of the effective date of the vacancy.

VIII. MEETINGS

- A. Task Force meetings shall only be called by the joint action of the Public and Private Sector Task Force Co-Chairs. Task Force meetings cannot be held any earlier than thirty-five days after being called, unless an emergency situation has been declared pursuant to Section VIII(H), in which case Task Force meetings cannot be held any earlier than ten days after being called. It is recommended that, at least once a year, the Task Forces convene in a common location for a joint Task Force Summit. Executive Committee meetings shall only be called by the joint action of the Public and Private Sector Task Force Co-Chairs and cannot be held any earlier than three days after being called, unless the Executive Committee waives this requirement by unanimous consent.
- B. At least forty-five days prior to a task force meeting any model bill, resolution or policy must be submitted to ALEC staff that will be voted on at the meeting. At least thirty-five days prior to a Task Force meeting, ALEC staff shall distribute copies of any model bill, resolution or policy statement that will be voted on at that meeting. This requirement does not prohibit modification or amendment of a model bill, resolution or policy statement at the meeting. This requirement may be waived if an emergency situation has been declared pursuant to Section VIII(H).
- C. All Task Force meetings are open to registered attendees and invited guests of ALEC meetings and conferences. Only regular Task Force Members may introduce any resolution, policy statement or model bill. Only Task Force members will be allowed to participate in the Task Force meeting discussions and be seated at the table during Task Force meetings, unless otherwise permitted by the Public and Private Sector Task Force Co-Chairs.
- D. ALEC private sector member organizations may only be represented at Task Force and Executive Committee meetings by the individual addressed in the appointment letter sent pursuant to Section VI(D) or a designee of the private sector member. If someone other than the individual addressed in the appointment letter is designated to represent the private sector member, the designation must be submitted in writing to the Public and Private Sector Task Force Co-Chairs before the meeting, and the individual cannot represent any other private sector member at the meeting.

- E. All Task Force and Executive Committee meetings shall be conducted under the guidelines of Roberts Rules of Order, except as otherwise provided in these Operating Procedures. A copy of the Task Force Operating Procedures shall be included in the briefing packages sent to the Task Force members prior to each meeting.
- F. A majority vote of legislative members present and voting and a majority vote of the private sector members present and voting, polled separately, are required to approve any motion offered at a Task Force or Executive Committee meeting. A vote on a motion to reconsider would be only with the sector that made the motion. Members have the right, in a voice vote, to abstain and to vote present by roll-call vote. In all votes a member can change their vote up until the time that the result of the vote is announced. Only duly appointed members or their designee as stated in Section VIII (D) that are present at the meeting may vote on each motion. No proxy, absentee or advance voting is allowed.
- G. The Public Sector Task Force Co-Chair and the Private Sector Task Force Co-Chair, with the concurrence of a majority of the Executive Committee, polled in accordance with Section VIII (F), may schedule a Task Force vote by mail or ~~fax~~ any form of electronic communication on any action pertaining to policy statements, model legislation or educational activity. The deadline for the receipt of votes can be no earlier than thirty-five days after notification of the vote is mailed or ~~faxed~~ notified by any form of electronic communication, unless an emergency situation is declared pursuant to Section VIII (H), in which case the deadline can be no earlier than ten days after notification is mailed or ~~faxed~~ notified by any form of electronic communication. Such votes are exempt from all rules in Section VIII, except: (1) the requirement that copies of model legislation and policy statements be mailed or ~~faxed~~ notified by any form of electronic communication with the notification of the vote and (2) the requirement that a majority of legislative members voting and a majority of the private sector members voting, polled separately, is required to approve any action by a Task Force.
- H. For purposes of Sections VIII(A), (B) and (G), an emergency situation can be declared by:
 - (1) Unanimous vote of all members of the Task Force Executive Committee present at an Executive Committee meeting prior to the meeting at which the Task Force votes on the model bill, resolution or policy statement; or
 - (2) At least three-fourth majority vote of the legislative and private sector Task Force members (voting in accordance with Section VIII (F)) present at the meeting at which the members vote on the model bill, resolution or policy statement.

- I. Ten Task Force members shall constitute a quorum for a Task Force meeting. One-half of the legislative and one-half of the private sector members of an Executive Committee shall constitute a quorum for an Executive Committee meeting.

IX. ***REVIEW AND ADOPTION PROCEDURES***

- A. All Task Force policy statements, model bills or resolutions shall become ALEC policy either: (1) upon adoption by the Task Force and affirmation by the Board of Directors or (2) thirty days after adoption by the Task Force if no member of the Board of Directors requests, within those thirty days, a formal review by the Board of Directors. General information about the adoption of a policy position may be announced upon adoption by the Task Force.
- B. The Executive Director shall notify the Board of Directors of the approval by a Task Force of any policy statement, model bill or resolution within ten days of such approval. Members of the Board of Directors shall have thirty days from the date of Task Force approval to review any new policy statement, model bill or resolution prior to adoption as official ALEC policy. Within those thirty days, any member of the Board of Directors may request that the policy be formally reviewed by the Board of Directors before the policy is adopted as official ALEC policy.
- C. A member of the Board of Directors may request a formal review by the Board of Directors. The request must be in writing and must state the cause for such action and a copy of the letter requesting the review shall be sent by the National Chairman to the appropriate Task Force Chair. The National Chairman shall schedule a formal review by the Board of Directors no later than the next scheduled Board of Directors meeting.
- D. The review process will consist of key members of the Task Force, appointed by the Task Force Chair, providing the support for and opposition to the Task Force position. Position papers may be faxed or otherwise quickly transmitted to the members of the Board of Directors. The following is the review and adoption procedures:
 - Notification of Committee: Staff will notify Task Force Chairs and the entire task force when the Board requests to review one of the Task Forces' model bills or resolutions.
 - Staff Analysis: Will be prepared in a neutral fashion. The analyses will include:
 - History of Task Force action
 - Previous ALEC official action/resolutions
 - Issue before the board
 - Proponents arguments

- Opponents arguments
- Standardized Review Format: To ensure fairness, a set procedure will be used as the format to ensure the model bill/resolution has a fair hearing before the Board.
 - Task Force Chair(s) will be invited to attend the Board Review
 - Task Force Chair(s) will decide who will present in support and in opposition for the model bill/resolution before the Board.
 - Twenty minutes that is equally divided will be given for both sides to present before the Board.
 - It is suggested that the Board not take more than twenty minutes to ask questions of the presenters.
 - Presenters will then be excused and the Board will have a suggested twenty more minutes for discussion and vote.
 - All votes will be recorded for the official record.
- Notification of Committee: The Director of Policy will notify presenters immediately after the vote. If the Board votes to send the model bill/resolution back to the task force, the Board will instruct the Director of Policy or another board member what to communicate.

E. The Board of Directors can:

- (1) Vote to affirm the policy or affirm the policy by taking no action, or
- (2) Vote to disapprove the policy, or
- (3) Vote to return the policy to the Task Force for further consideration providing reasons therefore.

F. Task Forces may only undertake educational activities that are based on a policy statement, model bill or resolution that has been adopted as official ALEC policy, unless the Task Force votes to undertake the educational activity, in which case the educational activity is subjected to the same review process outlined in this Section. It is the responsibility of the Task Force Executive Committee to affirm by three-fourths majority vote conducted in accordance with Section VIII that an educational activity conforms to a policy statement, model bill or resolution.

X. EXCEPTIONS TO THE TASK FORCE OPERATING PROCEDURES.

Exceptions to these Task Force Operating Procedures must be approved by the Board of Directors.